(Nelson).

SUPREME COURT OF THE UNITED STATES.

No. ~~238.~~ 117.

THE LEVY COURT OF WASHINGTON COUNTY, PLAINTIFFS IN ERROR,

vs.

THOMAS WOODWARD.

IN ERROR TO THE CIRCUIT COURT OF THE UNITED STATES FOR THE DISTRICT OF COLUMBIA.

GOVERNMENT PRINTING OFFICE.

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1 *Writ of error.*

UNITED STATES OF AMERICA.

The President of the United States to the judges of the circuit court of the District of Columbia, greeting:

Because in the record and proceedings, as also in the rendition of the judgment of a plea which is in the said court before you, or some of you, wherein Thomas Woodward is plaintiff, and the Levy Court of the County of Washington is defendant, a manifest error hath happened, to the great damage of the said defendant, as by its complaint appears; we being willing that error, if any hath been, should be duly corrected, and full and speedy justice done to the parties aforesaid in this behalf, do command you, if judgment be therein given, that under your seal, distinctly and openly, you send the record and proceedings aforesaid, with all things concerning the same, to the Supreme Court of the United States, together with this writ, so that you have the same at Washington on the first Monday of December next, in said Supreme Court, to be then and there held; and that the record and proceedings aforesaid being inspected, the said Supreme Court may cause further to be done therein to correct that error which of right and according to the laws and custom of the United States should be done.

Witness the Hon. Roger B. Taney, chief justice of said Supreme Court.

Issued the 27th day of February, 1862.

JNO. A. SMITH, *Cl'k.*

[SEAL.]

2 Filed 27 February, 1862.

3 *Citation.*

DISTRICT OF COLUMBIA, *to wit:*

The United States of America to Thomas Woodward, greeting:

You are hereby cited and admonished to be and appear at a Supreme Court of the United States, on the first Monday in December next, pursuant to a writ of error filed in the clerk's office of the circuit court of the District of Columbia for the county of Washington, wherein the Levy Court of the County of Washington is plaintiff in error, and you are defendant in error, to show cause, if any there be, why judgment rendered against the said levy court of the county of Washington should not be corrected, and why speedy justice should not be done to the parties in this behalf.

Witness the Hon. James Dunlop, chief judge of the circuit court of the District of Columbia, this 27th day of Feb'y, 1862.

JAS. DUNLOP.

Service acknowledged.

JOS. H. BRADLEY,
Pl'tff's Att'y.

Filed 27 February, 1862.

4 *Copy appeal bond.*

Know all men by these presents, that the levy court of the county of Washington, in the District of Columbia, and Nich's Callan and R'd Wallach are held and firmly bound unto Thomas Woodward in the full and just sum of eight thousand dollars, to be paid to the said Thomas Woodward, his executors, adm'ors, and assigns, to which payment, well and truly to be made and done, said parties bind themselves, their successors, heirs, executors, and adm'ors, respectively, jointly, and severally, firmly by these presents. Sealed with our seals, and dated this 27th day of February, A. D. 1862.

Whereas the above-named levy court have prosecuted a writ of error to the Supreme Court of the United States, to reverse the judgment rendered in a suit of said Thomas Woodward against said levy court, in the circuit court of the District of Columbia for the county of Washington: Now, therefore, the condition of the above obligation is such, that if the said levy court shall prosecute their said writ of errors to effect, and answer all damages and costs if they shall fail to make good their plea, then this obligation shall be void; it shall otherwise remain in full force and virtue at law.

GEO. W. RIGGS, *President.* [SEAL.]
N. CALLAN. [SEAL.]
RICHARD WALLACH. [SEAL.]

Witness: JOHN R. ELVANS.
S. C. MCGUIRE.
H. ADDISON, as to R. W.

Approved. JAS. DUNLOP, *Ch. J.*

5 *Style of court.*

DISTRICT OF COLUMBIA, *to wit:*

At a circuit court of the District of Columbia, of Washington, begun and held in and for the county of Washington, at the city of Washington, on the third Monday of January, being the twentieth day of the same month, in the year of our Lord one thousand eight hundred and sixty-two, and of the independence of the United States the eighty-sixth.

Present: The hon'ble James Dunlop, chief judge; James S. Morsell and Wm. M. Merrick, ass't judges; Ward H. Lamon, esq., marshal.

JNO. A. SMITH, *Clerk.*

Parties.

In the record of proceedings of said court, amongst others are the following, to wit:

THOMAS WOODWARD
ag'st
THE LEVY COURT OF WASHINGTON COUNTY.

Be it remembered that heretofore, to wit, on the third Monday of October, in the year of our Lord one thousand eight hundred and fifty-five, the said Thomas Woodward, by Joseph H. Bradley, esq., prosecuted and sued forth out of the circuit court here the United States writ of capias ad respondendum, directed to the marshal of the District of Columbia, in the words and of the tenor following, to wit:

Capias ad respondendum.

DISTRICT OF COLUMBIA, *to wit:*

The United States of America to the marshal of the District of Columbia, greeting:

6 We command you that you summon the Levy Court of Washington County before the circuit court of the District of Columbia, to be held for the county aforesaid, at the city of Washington, on the 3d Monday of October inst., to answer unto Thomas Woodward in a plea of trespass on the case, &c.

Hereof fail not, at your peril, and have you then and there this writ.

Witness W. Cranch, esquire, chief judge of our said court, at the city of Washington, the 5th day of June, anno Domini one thousand eight hundred and 55.

Issued the 11th day of October, 1855.

B. & B. JNO. A. SMITH, *Cl'k.*

Octo. term, 1855.

At which said third Monday of October, in the year of our Lord one thousand eight hundred and fifty-five, being the day of the return of the aforegoing writ, comes into court here the said Thomas Woodward, by his attorney aforesaid, and the marshal of the District aforesaid, to whom the said aforegoing writ was, in form aforesaid, directed, and makes return thereof to the court here, thus endorsed, to wit:

Marshal's return.

Summon Lewis Carbery, and authority to W. S. Cox to appear.
J. D. HOOVER, *Marshal.*

Rule nar.

Lewis Carbery, one of the members of the said levy court, and the said levy court being called, appear in court here, by Walter S. Cox, esq., their attorney; and thereupon the said defendant, by their said attorney, prays that the said plaintiff may declare against
7 the said defendant in the plea aforesaid. Whereupon it is ruled by the court here, that the said plaintiff declare against

the said defendant in the plea aforesaid, or judgment will be rendered against him in default thereof; and the said plaintiff, by his attorney aforesaid, prays leave of the court here to imparle until the fourth Monday of March next.

And said cause, with the consent of the parties, by their said attorneys and by order of court, was regularly continued from term to term, until the third Monday of October, in the year 1857.

Octo. term, 1857.

At which said third Monday of October, 1857, come into court here as well the plaintiff as the defendant, by their attorneys aforesaid; and the said plaintiff, by his attorney aforesaid, declares against the said defendant in the plea aforesaid, in form following, to wit:

Nar.

DISTRICT OF COLUMBIA,
County of Washington, to wit:

The Levy Court of Washington County, D. C., late of the county of Washington, was attached to answer unto Thomas Woodward, in a plea of trespass on the case, and so forth. And whereupon, the said plaintiff, by Bradley and Bradley, his attorneys, complains that whereas, heretofore, to wit, on the eleventh day of October, in the year of our Lord eighteen hundred and fifty-five, at the county aforesaid, said defendants were indebted unto said plaintiff in the sum of six thousand dollars, for the work and labor, care, diligence, and attendance of the said plaintiff, before then done, performed, and bestowed by the said plaintiff in and about the business of the said defendant, for them and at their special instance and request,
8 and for divers materials and other necessary things made, done furnished, used, and applied in and about that work, labor, and business for the said defendant and at their special instance and request; and, also, in another like sum of money, for other money by the said plaintiff before then lent and advanced to said defendant, at their special instance and request; and, also, in another like sum of money, for other money before then by the said plaintiff paid, laid out, and expended for the use of the said defendant, and at their special instance and request; and, also, in another like sum of money, for other money by the said defendant before then had and received to and for the use of the said plaintiff; and being so indebted, the said defendant, in consideration thereof, afterward, to wit, on the day and year aforesaid, at the county aforesaid, undertook and faithfully promised said plaintiff to pay him the said sum of money whenever afterwards they, the said defendant, should be thereunto required.

And whereas, afterwards, to wit, on the day and year aforesaid, at the county aforesaid, said defendant accounted to and with the said plaintiff of and concerning divers other sums of money before then due and owing from the said defendant to the said plaintiff, and then

in arrear and unpaid, and upon such accounting the said defendant then and there was found indebted unto the said plaintiff in the further sum of six thousand dollars, the said defendant, in consideration thereof afterwards, to wit, on the day and year aforesaid, at the county aforesaid, undertook and faithfully promised said plaintiff to pay him said last sum of money whenever afterwards he should be required.

Nevertheless, said defendant *ha* not paid said sums of money, or any part thereof, to said plaintiff, (although often thereto requested
to wit, on the day and year aforesaid, and often afterwards,
9 at the county aforesaid,) but so to do ha hitherto wholly
failed and refused, and still do so, to the damage of said plaintiff in the sum of ten thousand *hundred* dollars, and therefore he brings suit, &c.

BRADLEY & BRADLEY,
For the Plaintiff.

Rule plea.

JOHN DOE *and* RICHARD ROE. } Pledges, &c.

And thereupon the said plaintiff, by his attorney aforesaid, prays that the said defendant may answer to the declaration aforesaid, of him the said plaintiff, in the plea aforesaid. Whereupon it is ruled by the court here, that the said defendant answer to the declaration aforesaid of the said plaintiff in the plea aforesaid, or judgment by the court will be rendered against him in default thereof. Thereupon the said defendant, by their attorney aforesaid, defends the wrong and injury, when, and so forth, and says that he did not assume upon himself, in manner and form, as the aforesaid plaintiff above against him hath complained, and of this he puts himself upon the country. And the said plaintiff, by his attorney aforesaid, in like manner, and so forth; therefore, let a jury thereon appear before the court here, on the third Monday of October next, by whom, &c., and who neither, &c., to recognise, &c., because as well, &c., the same day is given to the parties then and there, &c.; and thereupon the following agreement or statement of the case was filed by the parties:

Statement of case.

THOMAS WOODWARD *vs.* THE LEVY COURT OF WASHINGTON COUNTY, D. C. } No. trials.—October term, 1857.

It is agreed by and between the parties in the above cause, through their respective counsel, that the said plaintiff is now
10 and has been from the year 18 , including the whole time
embraced in the account on which the action was brought, the coroner of the county of Washington, in the District of Columbia; and that the fees allowed the coroner were paid by the said levy court until the year 1838, according to the act of Maryland of 1779,

chap. xxv, § 2, which fixed the fees to the coroners and other officers; that by the eighth section of the act of Congress, entitled "An act to establish a criminal court in the District of Columbia," approved the seventh day of July, in the year eighteen hundred and thirty-eight, it was provided that there should thereafter "paid to the coroner of the counties of Washington and Alexandria, in the said District, and to the jurors and witnesses who may be lawfully summoned by them in any inquest, the same fees and compensation as are now paid to the marshal of the said District, and the jurors attending the circuit court in the said county, for similar services; that from and after the passage of said act of Congress, the accounts of said plaintiff, as such coroner, embracing his own fees and compensation paid by him to the jurors and witnesses on the inquests held by said coroner, were regularly submitted to and settled by the accounting officers of the Treasury Department of the United States, and were paid by the United States until the first day of July, in the year 1853, since which times payment has been refused by the said United States, on the ground that the said fees and compensation were not chargeable to said United States, but to the said levy court, under and according to said act of Maryland of 1779.

It is further agreed, that if the court should be of opinion that the said levy court is liable and chargeable with and bound to pay the fees of said coroner and the compensation of the jurors and the witnesses summoned by him on said inquest, the said cause and the said coroner's account shall be referred to the Auditor, who shall
11 ascertain the fees and compensation due to said coroner, and the amount paid by him to the jurors and witnesses, and the amounts still due to such jurors and witnesses as have not been paid under the aforesaid act (and other acts) of Congress. But if the court should be of opinion, on the above statement of facts, that the said levy court is not, but the United States is, chargeable with the fees and compensation of the coroner and the jurors and witnesses summoned by him, according to the rate established by said act of Congress, then judgment shall be entered for the defendants.

WM. R. WOODWARD,
For Pl't'ff.
WALTER S. COX,
For Deft's.

Reference to Auditor.

And the said cause was referred to the Auditor accordingly, and thereafter regularly continued from term to term by the consent of the said parties by their attorneys aforesaid, until the third Monday of October, 1859.

At which said third Monday of October, in the 1859, come again into court here as well the said plaintiff as the said defendants, by their attornies aforesaid, and the Auditor to whom the said cause was referred makes the following report:

THO'S WOODWARD
vs.
THE LEVY COURT.

I therefore gave you notice of the reference and audit in the above cause. I have had the papers under examination and consideration some time, and appoint Wednesday next, the 5th October, at 11 o'clock in the forenoon, at my office in Georgetown, for a final hearing, previous to making my report.

30th Sept., 1859.

W. REDIN, *Auditor.*

To W. S. COX, Esq.,
Att'y for Def'ts.

Service acknowledged.

W. S. COX.

12 *Deposition of Geo. W. Phillips.*

THOMAS WOODWARD
vs.
LEVY COURT OF WASHINGTON COUNTY, D. C. } No. Trials.

Deposition of George W. Phillips, deputy marshal, a witness produced on the part of the above-named plaintiff.

I am well acquainted with the fees allowed by law and received by the marshal.

The fee for summoning a jury is fifty cents for each juror, and the same for each witness summoned. The fee for swearing jurors and witnesses is seventeen and one half cents each. The fee for empanneling each jury is one dollar and a half. The fee for making and returning each inquisition is one dollar and thirty-one cents. The marshal has two and a half per cent. for the disbursement of all moneys on account of the United States. I do not know what fee is due to the coroner for the view of each body.

G. W. PHILLIPS.

Auditor's report.

THOMAS WOODWARD
ag't
THE LEVY COURT.

I have carefully examined the accounts and vouchers in the above cause, under the agreement of counsel referring the cause to me. Due notice of the examination and audit was given to the counsel on both sides, who have attended before me; and the deposition of George W. Phillips, deputy marshal, has been taken, and is returned herewith.

I have rejected the charges in the account filed for per diem
13 attendance of the coroner. It has been usual to charge it since the act of 1838, but there seems to be no authority of

law for it. The proper legal charge is (under the act of 1779, c. 25, § 5) 250 pounds of tobacco for viewing the body, to which the act of 1838 has added other fees, and also fees to jurors, witnesses, &c. The fees in tobacco are commuted into money by the act of 3d March, 1807, at the rate of $1\frac{75}{100}$ per hundred pounds, being equal $4\frac{37}{100}$ for the 250 pounds. Mr. Phillips states what fees are paid to the marshal, and among them, that he is entitled to $1\frac{31}{100}$ for taking and returning an inquisition. I have allowed this fee upon each inquisition, and added it to the 4 37½, making 5 68½ in the place of the charges for per diem allowance.

Making these corrections and a few others, as stated on the filed account *account*, I find the amount due to the plaintiff, as coroner, from the 3d July, 1853, to the 23d Sept., 1855, inclusive, for fees, and for payments by him to jurors and witnesses, according to the annexed account or statement, to be the sum of four thousand eight hundred and twenty-eight dollars and $\frac{27}{100}$, namely, $\$1,046\frac{70}{100}$ for payments to jurors and witnesses, and $3,781\frac{57}{100}$ for fees, and that the sum still remaining unpaid and due to jurors and witnesses, who were summoned and served on the inquests embraced within the above periods, is the further sum of three thousand and forty dollars and fifteen cents.

Respectfully submitted.

W. REDIN, *Auditor.*

5 Oct., 1859.
Auditor's fees, $\$41\frac{85}{100}$.

And the said defendant, by their attorney aforesaid, files in court here the following exceptions to the Auditor's.

Plff's exception to Auditor's report.

WOODWARD
vs.
THE LEVY COURT.

The plaintiff excepts to the ruling of the Auditor in the sixty enmerated cases in which he has disallowed his fees, and for
14 cause shows that, although many of those cases were of death from natural causes or accident, yet the facts were such in each and all of them that it was the duty of the coroner to hold the inquests, and the cause of the death could not be known until such inquest was held.

BRADLEY, *for Pl't'ff.*

Defendant's exceptions to Auditor's rep.

Circuit court of the Dist. of Col'a, for the county of Washington.

THO'S WOODWARD
vs.
THE LEVY COURT. } No. 16.—Trials.—October T., 1861.

The defendants, by their counsel, except to so much of the Auditor's report, filed on the 19th of October, 1861, as allows the

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plaintiff the sum of three hundred and twenty-eight $\frac{45}{100}$ dollars for disbursements in those inquests which he has reported should not have been held, it being No. 3 of the items of allowance stated on page 25 of said report.

WALTER S. COX,
Att'y for Def'ts.

Circuit court of the District of Columbia for the county of Washington.

WOODWARD
vs.
THE LEVY COURT. } 53.—Trials.—Oct. T., 1859.

The defendants pray leave to except to the Auditor's report, filed in this case on the 6th of October last. 1. For that, in his said report, the said Auditor has allowed to the plaintiff, as coroner, the sum of $4 37½ on each inquest for viewing the body, making in all the sum of $901 25, without requiring proof that said amounts could not be made out of the goods and chattels of the deceased persons, as provided by the act of assembly. 2. For that it does not appear by said report that the inquests, for which the said plaintiff is allowed, were upon persons murdered, slain, or otherwise dead by misadventure. 3. That said report is in other respects incorrect and erroneous.

WALTER COX,
Att'y for Def'ts.

And the said cause, by order of court and with the consent
15 of the parties, by their attorneys aforesaid, is continued until the next term of this court; and now, to wit, the said third Monday of January, in the year 1860, to which the said cause was continued, comes again into court here as well the said plaintiff as the said defendant, by their attorneys aforesaid, and said cause being heard on the report, and the exceptions to the report by counsel, the court, after mature deliberation, make the following order, to wit:

Case remanded to the Auditor.

THOMAS WOODWARD
vs.
LEVY COURT OF WASHINGTON COUNTY, D. C. } No. 41.—Trials.—Jan. T., 1860.

It is ordered by the court, this 6th day of March, 1860, that the above cause be again remanded to the Auditor with instructions to inquire and report to the court how many and what inquests, held by the coroner, as contained within his account filed in this cause, was held on persons murdered, or slain, or otherwise dead by misadventure and what not; and, also, how many of said inquests were held on persons who had goods and chattles sufficient to pay the expenses of such inquests, or whose expense was chargeable to the

commissioners of the county, and that he examine witnesses to each of the above points, and return the same to the court.

By order of court.

Test: JNO. A. SMITH, *Cl'k.*

And said cause was regularly continued from term to term with the consent of said parties, by their attorneys aforesaid, until the October term, 1861.

And now, on this third Monday of October, in the year 1861, come into court here the said plaintiff and defendant, by their solicitors aforesaid, and the Auditor, to whom the court had remanded his report with instructions, files here his second report, in the words and figures following, to wit:

2d report of Auditor.

THO'S WOODWARD *ag't* THE LEVY COURT. } Reference from the common law side of the court.

16 The above action is brought by the coroner against the levy court, to recover his fees for holding inquests over the bodies of deceased persons, and for the payments made by him to the jurors and witnesses attending the inquests.

The period embraced in the claim is from July 3d, 1853, to September 23d, 1855, inclusive.

When the case was before me in Oct.,1859, the original inquisitions were presented and received in evidence, and the counsel on both sides attending, no objection was then taken by the counsel for the defendants, that any of the cases mentioned in these inquisitions were not proper cases for an inquest, nor was any proof then required that the deceased had left no property out of which the expenses of the inquest could be collected. From the agreement of counsel, under which the case came to me, and from their oral openings, I understood the only inquiry was as to what were the coroner's fees and the sums paid by him to jurors and witnesses, and the amounts remaining due them.

No doubt was expressed as to the legality or propriety of holding any of the inquests, nor did any question of that kind occur to me. The case was then considered merely in reference to the question of what were proper fees, and the amounts paid and remaining unpaid to jurors and witnesses.

In the report then made, I disallowed the per diem of $5 claims by the coroner, and in place thereof allowed in each case 250 pounds of tobacco, equal to 4 37½, for viewing the body, and 50 cents for summoning each witness and juror; 17½ cents for swearing each of them; $1\frac{50}{100}$ for empannelling the jury; 1 31¼ for taking and returning the inquisitions, and the fees to the jurors and witnesses in those cases in which the coroners had paid them, and 2½ per cent. commission on each disbursements, and where they were unpaid, I found the amount of fees remaining due.

The exceptions taken to the report were, 1. "That no proof
17 was required that the fees could not be made out of the goods of the deceased," and 2. "That the report did not show that the inquests for which allowance was made were upon persons murdered, or slain, or other dead by misadventure."

Upon the hearing of which the court, by the order of the 6th March, 1860, directed me "to inquire and report how many and what inquest contained in the coroner's account were held upon persons murdered, or slain, or otherwise dead by misadventure, and what not; and, also, how many were held on persons who had goods sufficient to pay the expenses, or whose expense was chargable to the levy court of the county."

The exception and order are understood to involve and direct the inquiry, whether the cases charged in the coroner's account were cases in which he ought to have acted; in other words, whether the inquests were duly held?

I have, therefore, now taken up the case in that aspect, and have gone into a more full examination of the law and the facts of each of the cases contained in the coroner's account, the result of which I have felt it to be my duty to present, with all the authorities pro and con I have met with on the subject.

Before doing so, however, I state that, pursuant to the last order, I gave notice of the reaudit and reinvestigation to both plaintiff and defendants. The plaintiff and his counsel, and witnesses attended, but the defendants did, nor did their counsel or any witnesses on their behalf.

The original inquisitions were again presented by the plain-
18 tiff and received in evidence. I have extracted from each inquisition the finding of the jury, as to the cause and circumstances of the death. These extracts will be found in W. 1, p. 43. The witnesses produced by the plaintiff were Edw'd G. Handy, W. H. Barnaclo, Henry Reaver, John Dewdney, Geo. T. Woodward, John H. Goddard, David Westerfield, A. E. Keese, W. J. Griffin, John Scrivener, William R. Woodward, and James W. Allen.

Their depositions are returned, marked W. 2, p. 27. These witnesses were either police officers, or jurors, and witnesses on the inquests. They respectively depose, that the cause of death was proved on the inquest to have been as stated, respectively, in the inquisition, and that in every instance, except five, being Nos. 2, 95, 163, 17, and 165, the subjects of the inquests were poor, and had left no visible property or means out of which the expenses could be paid.

Original abstracts, three in number, have also been produced by the plaintiff, and received in evidence, commencing the 3d July, 1853, and ending the 23d March, 1854. These are the original receipts of the jurors and witnesses for the payments made to them by the coroner, and from these I have ascertained the amounts so paid by him, and state the aggregate at the close of this report.

The coroner's account contains 207 cases; and the inquisitions show deaths of all descriptions, and from all sorts of causes—murder,

manslaughter, drowning, suicide, apoplexy, fits, excessive intemperance, neglect and exposure, deaths in prison, and in the asylum, newly born infants abandoned or partially interred, and bodies found in alleys and on the public highways.

19 There was, of course, no difficulty in coming to a conclusion as to the coroner's duty in the great majority of these inquests, but doubts arose in regard to that class which embraced cases of death from apoplexy, fits, excessive and habitual intemperance; also, where the death, though sudden, had nothing apparently unnatural in it; and as to what cases the term misadventure comprehended, and whether in such cases as are now referred to the inquests ought to have been held, and the fees paid either to coroner, or jurors, and witnesses. The coroner has included in his account such cases. I have rejected all that appeared to me to come within the descriptions mentioned, and not to be covered by the term misadventure. Whether I have done right depends upon what is the real duty of the coroner in holding inquests, and what are the cases in which he ought or ought not to act.

I expected to have found his duties fully stated and defined by our acts of assembly, but the only act on this branch of his duties is that of Nov'r, 1779, which, in stating his fee for viewing the body, rather refers to than defines his duties. Chancellor Kelty, in his report, p. 210, states that the 4 Edw. I, st. 2, was adopted in Maryland; and by the 1st section of that act, "when any person is slain or suddenly dead, or wounded, the coroner shall inquire concerning the manner of the death;" and by the 2d sec., "in like manner, it is to be inquired of them that be drowned or suddenly slain, whether they were drowned, slain, or strangled."

Hawkins states that that statute "was wholly directory, and in affirmance of the common law, and, therefore, though the
20 statute mentions only inquests of the death of persons slain, drowned, or suddenly dead, yet the coroner ought, also, at the common law, to inquire of the death of those who die in prison, that the public may be satisfied that such persons came to their by the common course of nature, and not per disregard."—(2d Haw., c. 9, s. 21, 3 Inst., 52.) The other British statutes are the 1 H. VIII, c. 7, and the 25 Geo. II, c. 29. The words of the former are, "to inquire upon view of any person slain, drowned, or otherwise dead by misadventure;" and of the latter, "on view of a body dying in prison;" and though the 1 H. VIII and 25 Geo. II were not adopted in Maryland, (Kelly, pp. 69, 130,) they serve to show the kind of cases in which it was the coroner's duty to inquire at the common law. The words of our own act of 1779, c. 125, § 5, "are for viewing the body of any person murdered, or slain, or otherwise dead by misadventure, to be paid out of the goods and chattels of the party so dead, if any there be, otherwise to be levied by the commissioners of the county where such accident shall happen, 250 pounds of tobacco." The words "accident," on the first reading, was thought to open a wide door; but the expression is "such accident," and the reference, it is supposed, is to the previous term misadventure, and

to such cases of sudden and accidental death only as are comprehended in that term. Misadventure, as used in the 1 Hen. VIII, or homicide by misadventure, has been explained by the present Ch. J. Jervis, in his treatise on the duties and office of the coroner, (edition 1854,) to be, where a man, doing an act, without any intention to inflict an injury, unfortunately kills another, where the act is lawful, and is performed with due caution and in a proper manner, and without any intention of bodily harm, and the effect is merely accidental," (Jervis, 215,) but "where the death is caused
21 by some untoward violence" is added in Con. Dic., tit. misadventure; and "where the party committing it is not entirely faultless."—(In 4 Black., 187; 1 How., p. c. 72.) It would hence seem that it is not every case of sudden, or even accidental death, that will justify the holding of an inquest. The death, to come within the term misadventure, must, it is supposed, have occurred from violence, negligence, or unnatural causes. Jervis, at p. 34, says: "The dying suddenly is not to be understood of a fever, apoplexy, or other visitation of God; and in Rex *v.* The Justices of Kent, 11 East., 229, (1809,) where the inquisition stated the finding to be that "the deceased went into a shop, apparently in good health, complained of a pain in his hip, sat down in a chair and suddenly died;" although the coroner was requested by the inhabitants of the place to hold the inquest, and the death was sudden, there was no proof it was otherwise than a natural death, and the inquest was ruled to have been unduly held, and the coroner was refused his fees; so in Regina *v.* Justices of Carmarthenshire, (10 Adol. & Ellis, N. S., 159; 59 Eng. C. L., Rep. 796, 1847,) where two inquisitions were before the court; in one, the police officer gave notice to the coroner that a laboring man had come to his death suddenly, in consequence of his fingers having been chopped off by a chaff-cutter, and that during his last illness he was in receipt of parish relief, and was attended by a medical officer of the parish, and that there was a rumor he had not received proper medical attention and treatment; "the verdict was that he died of locked jaw, produced by injures to his fingers, caused by a chaff-cutter;" and in the other case, "a girl, four years of age, had come to her death by her clothes accidently taking fire; that she was suffered by he parents to be alone in a room in which was a fire, and from which no precaution had been taken to defend her. Verdict: accidently burned to death. The coroner stated that another child of the same parents was accidentally
22 scalded to death, of which he was not informed at the time That during the year he had held 27 inquests, of which seven were on children burned to death; that such deaths were very frequent in the county, and in six out of seven the deaths resulted from some degree of neglect on the part of parents, which was so gross, in some of the cases, as to render it doubtful whether it did not amount to manslaughter." The question in both cases was, whether the inquests had been duly held. The court of quarter sessions disallowed both, and the coroner's fees in both, on the ground that they did not consider either inquest necessary; and the

court of Q. B. "saw no reason to interfere with the decision;" Ch. J. Denman remarking, "due taking implies not only care and diligence in the taking, but the taking under such circumstances as make it proper that it should be taken." In Regina *v.* Justices of Gloucestershire, 7 Ellis and Blackburn, 808, (1857,) two cases were also presented; the first was "a woman of 60 years of age, who was found lying dead on the floor of the room, near the outer door, which was open, and the cause of her death unknown. The constable of the parish requested the coroner to hold an inquest. He found she was not subject to any known disease; had not for many years been attended by any medical man, and had been left in the morning in good health. Verdict: died in the natural way by the visitation of God;" and the second was the case of "a child 16 month's old, which had then recently died a violent and not a natural death, having been scalded by hot water, which was the cause of the death, and the finding was, that the child died of an accidental scald," and no suspicious circumstances were stated to the coroner respecting these deaths as a reason for holding the inquests. The question again was, whether they were cases in which it was proper an
23 inquest should have been holden, and it arose on an application by the coroner for a mandamus to the justices to allow his fees, which they had refused on the ground of the inquests being unnecessary. Campbell, Ch. J., and the other judges confirmed the action of the justices in refusing the fee of 20s., which the act of 25 Geo. II allows on an inquest duly held, but allowed the fee of 6s. 8d., to which the coroner was entitled of right, under the 7 W. IV, and 1 Vict., c. 68, s. 3, whether it was proper to hold the inquest or not.

The question has been asked, how is the coroner, whose duty it is to inquire, when called on, to know the character of the case until he inquires; and can he inquire except through a jury?

Jervis, p. 34, answers thus: "This authority, under whatever circumstances exercised, must be exercised by the coroner within the limits of a sound discretion; and unless there be a reasonable ground of suspicion that the party came to his death by violent and unnatural means, there is no occasion, except in the case of a person dying in goal, for the interference of the coroner." And lord Denman, in Regina *v.* The Great Western Railway Co., 3 Adol. & Ellis, 333, (43 Eng. c. L. Rep., 762, 1842,) uses this language: "The mere fact of a body lying dead does not give the coroner jurisdiction, nor even the circumstance that the death was sudden; there ought to be a reasonable suspicion that the party came to his death by violent or unnatural means. The coroner must, therefore, before he summons a jury, make some inquiry; and if, on that inquiry, he finds that the circumstances which occasioned the death happened out of his jurisdiction, and that there is no reasonable suspicion of murder or manslaughter, he ought to abstain from summoning a jury, and the body, in order to an inquest, must be removed into the county where the circumstance took place. If, however, the coroner has rea-
24 son to suspect murder or manslaughter to have been com-

mitted, or if it does not appear, on inquiry by him, that the circumstance occurred out of his jurisdiction, he is bound to summon a jury; and then, if in the course of the evidence it should appear that the circumstances occurred out of his jurisdiction, and no murder or manslaughter is suspected, the coroner must stop the proceedings and discharge the jury. This is what he would have been obliged to do before the 2 & 3 Edw., c. 24, in all cases where such circumstances appeared; and this he must do still, unless it be a supposed case of murder or manslaughter, when he must proceed until the jury find their verdict. If the verdict be death by the visitation of God, nothing more is done; for, in truth, it then appears that there was no occasion for an inquest. If the verdict be murder or manslaughter, then the want of jurisdiction at the common law (if any) is cured by the statute 2 & 3 Edw. 6, c. 24." Earl J., in 7 Ellis & Blackburn, remarked, that "in a case in which violence is suggested, there ought to be inquiry;" and Campbell, Ch. J., in the same case said that, "if there was no reasonable ground for holding an inquest, the fee ought to be disallowed;" but added that, "in considering whether there was reasonable ground or not, we should do so with a leaning in favor of the coroner."

These decisions, from 11 East to 7 Ellis & Blackburn, against the coroner's right to fees where inquests were deemed unnecessary, seemed to have turned upon the words "duly holden" in the 25 Geo. 2. Does that make any difference? The coroner here is suing as upon a quantum meruit for his fees. Must he not show a proper case—one in which inquests for which he claims were properly holden? Though his duty in holding them may be judicial, his tribunal is a special one; and, to entitle him to recover his fees, must not the inquisition show a case in which he was authorized to act; or, in other words, in which the inquest was duly holden? It
25 is supposed that his action is not conclusive, or prima facie even, that the facts existed which authorized him to act in the particular case; but that in suing for his fees it must be shown to be a proper case.

There are cases where, by positive law, an inquest is made necessary; as by the 5th section of the corporation of Washington by-law of June 3d, 1853, which makes it incumbent on some one interested in the interment to procure from the attending physician, if there had been one, or, if not, from the coroner of the District, or from some respectable person, a certificate stating the cause of the death, &c., which should be the foundation for the register's permission to make the interment. Cases of this description seem to have arisen; and as the coroner cannot, it is supposed, give any certificate officially without an inquest, I have considered him entitled, of right, to his fees in such cases, and have allowed them in three or four instances of the kind upon which he acted.

The coroner, from his account filed, would seem to have considered himself authorized to hold an inquest in all cases of sudden and accidental death.

But applying the tests furnished by the above statutes and author-

ities, the conclusions to which I have now come, are, 1. That in all cases of death by murder, manslaughter, drowning, or from neglect and exposure, under suspicious circumstances, or where the bodies were found in the streets, under similar circumstances; deaths in prison or in the city asylum; or where the coroner's certificate was required to procure permission to inter the body in the public burial ground of the corporation; and in all cases of sudden and accidental death, proceeding from violence or negligence, with or with-
26 out the intention of wrong or injury, it was proper for the coroner to hold an inquest; and I report all the cases contained in the coroner's filed account, (*a*) (except the Nos. 1, 5, 6, 8, 9, 10, 13, 14, 16, 18, 23, 29, 32, 35, 44, 48, 52, 53, 61, 63, 65, 69, 70, 72, 79, 81, 94, 96, 105, 106, 108, 110, 112, 113, 119, 120, 122, 123, 124, 126, 129, 135, 141, 143, 148, 149, 152, 153, 154, 156, 161, 165, 168, 176, 178, 180, 185, 189, 194, 196, (*c*) as coming within the terms of the order of reference, viz: as "persons murdered or slain, or otherwise dead by misadventure;" and admit such cases, and allow the coroner's fees and his disbursements and commissions in such cases. 2. That in all cases of death from apoplexy, fits, or excessive and habitual intemperance, and of sudden death, proceeding from natural causes, and the visitation of God, it was not proper to hold an inquest; and I report the cases, numbered as above, from 1 to 196—sixty, in all—as of this latter description; and reject the same, and disallow the coroner's fees, but allow his disbursements made in this latter class. 3. I report further all the cases, of both descriptions, to have been cases of paupers, who left no property out of which the expenses of the inquests could be collected, except the Nos. 2, 95, 17, 165 and 163; and these, for this reason, are not included in the above.

The plaintiff claims to be allowed for all the rejected inquests. I experienced considerable difficulty in deciding which were, and which were not, within the rules of law, as I understand them. I rejected, but with hesitation, all in which there appeared any doubt; knowing that, as the reference is from the common law side of the court, every ruling of mine must be reviewed, and cannot be final without the confirmation of the court. Should the court think the plaintiff is entitled to an allowance for any of the rejected class, I shall state at the close of this report (*o*) his fees in each case, and the aggregate amount of the whole, so that any amount to
27 which he may be adjudged entitled can be added to the amount of my findings in his favor. Deduction can be made by means of the same list, if any cases have been allowed which ought not to have been.

The next question would have been the fees to which the coroner is entitled. But these are settled by the former report. The allowances I then made, from an examination of our statutes, and the testimony of the deputy marshal, Mr. Phillips, were as follows: $6 for summoning the jurors on each inquest; 1 $\frac{50}{100}$ for empannelling them;

(*a.*) Abstract thereof and of the inquisition at page 43.
(*c.*) Page 35, W. (*o*) See W. p. 35.

50 cents for summoning each witness; 17½ cents for swearing each witness and juror; $4 37½ for viewing the body; $1 31¼ for taken and returning the inquisition; and 2½ per cent. commission on the coroner's payments to jurors and witnesses. To that part of the report no exception has been taken; and it is unnecessary, therefore, to state more than that I have taxed the coroner's fees, in each case, according to that scale, and entered amounts in W. and in W. 1. These taxations, with his disbursements, form the amount I have reported due to him in all the cases in which it was supposed proper to hold an inquest. His fees are also taxed in the rejected inquests; but no other allowances have been made to him in such cases, than for his payments to the jurors and witnesses and his commission thereon. And these payments are allowed on the authority of the Queen *v.* the Justices of Carmarthenshire, 10 Adol. & Ellis. In all the cases cited from 11 East. to 7 Ellis & Blackburn, it is held that the due taking of the inquest is a condition precedent to the being entitled to the compensation or reward. But in 10 Adol. & Ellis, a distinction is taken between the coroner's own remuneration, where the inquest ought not to have been held, and the disbursements
28 made by him in such a case; and although in the case cited, the coroner's own fees were rejected, he was held entitled to and was allowed the payments he had made to the jurors and witnesses, and for the incidental expenses attending the execution of the inquest, and without reference to the question whether it was "proper the inquest should have been held or not," on the ground, as put by Lord Denman, that "the coroner was compelled to pay the jurors and witnesses and the expenses; that the bailiff who summoned the jurors, the jurors who attended, the witnesses who appeared, were all bound to obey the authority under which they acted; and their remuneration could not justly be dependent upon the propriety of the coroner's determination to hold the inquest." The rights of jurors and witnesses attending on a coroner's inquest are supposed to be the same under our law. The act of Congress of 1838 secures to them the same fees as jurors attending court receive. It is the marshal's duty to pay the compensation due to such jurors and witnesses. By the 4th section of the act of Congress of 1792, c. 137, "the amount of their compensation shall be included in the marshal's accounts, and the amount be paid to him by the treasury, and be paid over by him to the persons entitled thereto." The duty of the coroner, as to paying the jurors and witnesses summoned by him, is the same; the abstracts filed by him show that he continued to pay them up to March, 1854; and I am informed that, from the passage of the act of 1838, until 1853, the sums paid by the coroner to jurors and witnesses were, with his own fees as stated in his filed account, entered in his accounts, and repaid by the treasury. I think the agreed case admits it. In a great number of those instances in which I have allowed his own fees, as well as in many of the rejected inquests, the plaintiff paid the jurors and wit-
29 nesses their compensation. On the authority of the case in 10 Adol. & Ellis, I have allowed him all such payments, in

both classes of cases, as the abstracts and receipts prove he made. Lord Denman, in the cited case, referring to the coroner's loss of his own fees, where the inquest should not have been held, thought that "that course"—namely, restoring to him what "he had paid out of pocket"—"would meet the justice of the case."

I find, therefore, and report, as follows:

1. The coroner's fees in those cases, included in his account, in which he had authority to hold an inquest, amount to $2,570 10¾; less $500, paid on account by the treasury.

2. His disbursements to jurors and witnesses, in the same cases, to $680.

3. His disbursements to them in those inquests which I have reported should not have been held were $328 45.

4. His own fees, in that class of cases (disallowed,) would be $1,048 91½.

5. The fees still remaining due and unpaid to jurors and witnesses in the inquests properly held amount to $2,201 80; and in those which should not have been held, to $842.

And, upon the principles of this report, I allow him, 1. His own fees in the inquests he had authority to hold. 2. His disbursements actually made to jurors and witnesses in those cases, as well as in those that should not have been held. And 3. His commission of 2½ per cent. on all his payments, and find and report the aggregate due to him thereon, as coroner, from the 3d July, 1853, to the 23d September, 1855, inclusive, to be the sum of $3,586 75¾, less $500, paid by the Treasury of the United States on account; leaving still due to him $3,086 75, (three thousand and eighty-six dollars 75¾ cts.)

The above report having been submitted to J. H. Bradley, esq., the plaintiff's counsel, before filing it, he suggested that the $500 paid by the treasury should not be deducted: 1, because it had been paid on account of other and prior inquests; and, 2, if paid on account of these, the United States might recover it back again.

No testimony has been offered showing the $500 were paid on account of other inquests. It is admitted it was paid by the treasury; and I find the pencil entry on the first abstract in these words: "Has received $500 on both acc'ts."

I adhere to my deduction upon the fact; and, if there be anything in the question of law as to the U. S. recovering it back, prefer the court should decide that question.

W. REDIN, *Auditor.*

16 Oct., 1861.

W. 2.—*Deposition taken.*

Edw'd G. Handy, duly sworn, states, that from July, 1853, to Oct., 1855, he was a county constable, and knows of the several inquests held by the coroner, stated in the list hereto annexed, marked and numbered therein, and at the foot of this affidavit, by the several numbers set down at the foot hereof; that he was one of the jurors or

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a witness on such inquests; that the death in each case was caused as stated in the inquests, and the inquests were held as therein stated; and that the subjects thereof were poor, and had no property out of which the expenses of holding the inquests could be collected, to wit:

Nos. 8, 9, 11, 13, 14, 24, 25, 34, 36, 42, 44, 45, 46, 47, 50, 53, 54, 57, 64, 66, 67, 68, 69, 70, 71, 72, 73, 78, 79, 85, 90, 93, 96, 103, 106, 110, 116, 118, 119, 130, 135, 136, 145, 146, 147, 148, 150, 154, 155, 160, 166, 167, 169, 188, 192, 197, 198, 201, 205, 207.

Further he saith, that in No. 95, (Gassaway's case,) he
31 thinks he must have left property sufficient to pay the expenses; and that in No. 181, he has no knowledge of Clarke's circumstances, nor whether he left property or not; but thinks, further, that property enough to pay the fees must have been left in these cases also: No. 17 (Magill;) 140 (Chas. Stewart;) and 165 (Whiting;) and that in No. 136 (Watson, a slave) and 200, (John, a slave,) the masters (Sasser and Johnson) he thinks were able to pay, but he believes they resided out of the county.

John H. Wise, being sworn, saith, that he was one of the police officers of the corporation of Washington, and it was his duty to inform the coroner when death occurred that seemed to require his attention, and he has frequently done so; that in the following cases he was either a witness or juror on the inquests, which were held as stated in the inquisitions, and the death was proved to have been caused as therein stated; and in each of those cases, the subjects of them left no property sufficient for the expenses, to wit:

Nos. 4, 5, 12, 16, 24, 25, 29, 30, 42, 49, 52, 80, 84, 88, 104, 149, 171, 60, 196.

Henry Reaver, being sworn, says that he was a juror on the following inquests; that the cause of death is truly set down in the inquisitions as proved before him and his fellow jurors; that they were held respectively as stated in the inquisitions, and that the parties were too poor, and left no property to pay the expenses, to wit:

Nos. 7, 19, 51, 81, 138, 139, 141, 143, 164, 185, 193, 65, 97, 98, 115, 153; and that in No. 184 (Henderson's case) he had, at the time of his death, a wagon and horses at Stevens's tavern, in Georgetown, but he was a stranger and non-resident of the county.

32 William H. Barnaclo, beingal so sworn, saith that he was a police officer for the city of Washington during the years 1853 and 1855; that he frequently, in the performance of his duty, called upon the plaintiff as coroner to hold inquests over dead bodies; that in the several cases, numbered as at the foot hereof, he did hold inquests, as stated in the body of each such inquisition; that in the said instances the causes of death are truly stated as the same were proved before the jury, and he knows that the several subjects of such inquests were so poor that the expenses of holding the same could not be collected out of any property they left, he having been on such inquests either as juror or witness, to wit:

Barnaclo's list.—Nos. 3, 6, 14, 15, 27, 28, 38, 43, 44, 45, 46, 48, 54, 62, 82, 131, 156, 122; and that in Osborn's case (163) the proof was as stated in the inquisition, but the impression of witness is, that he left property sufficient to pay the expenses of the inquest.

John Dewdney, being sworn, deposed that he was, during the years 1853, 1854, and 1855, a police officer for the city of Washington, and did frequently, during those years, give notice to the plaintiff as coroner of deaths having happened in which he thought it was proper inquisitions should be held; that the several inquests, numbered as at the foot hereof, were held as stated in the inquisitions, and having been either a witness or a juror thereon, he knows that the cause of death is truly stated in the inquisitions as the same was proved on the inquests, and that the parties or subjects of such inquests left no property out of which the expense of holding the same could be levied, to wit:

33 Dewdney's list.—Nos. 1, 21, 22, 26, 23, 32, 35, 37, 57, 59, 55, 61, 77, 86, 87, 92, 114, 124, 137, 170, 178, 186, 204, 100.

John H. Goddard, being sworn, saith that he served on the jury of inquest in the following cases as numbered at the foot hereof; that the same were held by the coroner as therein stated; that the death was proved to have been caused as stated in such inquisitions; and that the subjects of the same were poor, and left no property sufficient to pay the expenses thereof, as he verily believes, to wit:

Nos. 13, 27, 36, 38, 56, 57, 76, 126, 134, 58, 132, 133, 162.

George T. Woodward, being also sworn, states that he served as a juror in the several cases numbered at the foot of this deposition; that the inquests were held as therein stated. The cause of death is stated in each inquisition as the same was proved on the inquest, and the parties or subjects thereof were all too poor to enable the coroner to collect the expenses from their estates, to wit:

Nos. 17, 20, 23, 39, 40, 75, 83, 101, 104, 108, 112, 113, 120, 121, 123, 125, 126, 127, 151, 168.

And that in No. 2, (Voss's case,) he left property sufficient, as deponent is informed.

Robert B. Hughes, also, being sworn, saith that he was a police officer for the corporation of Washington, during the years 1853, 1854, and 1855, and very often, in the performance of his duty, gave notice to the coroner of deaths which, in his opinion, required an inquest; that in the following cases, numbered as at the foot
34 hereof, he served either as a juror or witness, and it was proved, on such inquests, that the death occurred as stated in the inquisitions, and the parties or subjects were all poor and left no property sufficient to pay the expenses, to wit:

Nos. 10, 18, 31, 63, 89, 102, 105, 109, 117, 130, 158, 172, 202.

Wm. Martin, being sworn, saith that he was one of the jurors in the following inquests which were held, and the death was proved to have proceeded from the cause as stated in the inquisitions. The parties were poor and destitute, having no property, as he believes, to wit:

Nos. 99, 187, 189.

Wm. Dixon was also sworn, and said that he was a juror in the following case, which was held, and the death was proved to have been caused, as stated in the inquisition, and the party was poor and had no property sufficient for the expenses, to wit:

No. 107, 177.

John Scrivener, being also sworn, saith that he was a juror on the following inquest; that the same was held, and the cause of death proved as stated in the inquisition, and that the party was without any visible means for paying the expenses, to wit:

No. 152.

William R. Woodward, being also sworn as a witness, saith that he knows that Charles H. Stewart (No. 140) and James T. Clarke (No. 181) left no property out of which the expenses of their respective inquests could be paid.

W. REDIN, *Aud'r.*

165, 174, 176.

35 *District of Columbia, county of Washington, to wit:*

David Westerfield: That he knew Samuel S. Whiting, who died suddenly at the Treasury Department, Washington city, on the 28th day of January, 1855; that he was a poor man, and left no property in which the expenses of holding the inquest could be made; that he also knew Mrs. Easter Hughes, on which an inquest was held on the 18th of March, 1855; that she was also a very ——— woman, and had no property; that he also knew negro George Fields, a free negro, on which there was an inquest held the 22d March, 1855; that he was also a poor man, and had no property on which the costs of the inquisition could be made, and that on each of the above cases it was necessary to hold inquests, and that the coroner was in all cases sent for; that there was a law of the corporation that no person could be entered without a certificate.

D. WESTERFIELD.

Subscribed and sworn before me.

THOMAS C. DUNN,

Justice of the Peace for Washington County, District of Columbia.

Authorized by me under the rule.

W. R.

Keese, 144, 173, 183, 200.

Circuit court of the District of Columbia.

THOMAS WOODWARD
vs.
LEVY COURT OF WASHINGTON COUNTY.

DISTRICT OF COLUMBIA,
County of Washington, to wit:

36 On this 15th day of May, A. D. 1861, before the undersigned, a justice of the peace in and for the county aforesaid, personally appears Augustus E. Keese, who makes oath on the Holy Evangelist of Almighty God that he is cognizant to the inquests in said cause filed, numbered 144, 173, 180, and 200, viz: Jas. Moore, 21 Nov., 1854; 16th March, 1855, Bartholomew Rady; Neg. Joshua Fitzhugh, 6 April, 1855; and negro John, slave of S. Johnson, 1st Aug't, 1855; and that the parties were poor, utterly without means; and that S. Johnson, master of slave John, was poor and without means, and is now dead; that he thinks inquests were necessary, and that, so far as he knows, the coronor never attempted to hold inquests without being required.

A. E. L. KEESE.

Subscribed and sworn before me this 15th day of May, 1861.
THOMAS C. DONN, *J. P.*

Authorized under the rule.

W. R.

194.

Circuit court of the District of Columbia.

THOMAS WOODWARD
vs.
LEVY COURT OF WASHINGTON COUNTY.

County of Washington, to wit:

On this 15th day of May, A. D. 1861, before the subscriber, a justice of the peace in and for the county aforesaid, personally appears William J. Griffin, who makes oath on the Holy Evangelist of Almighty God that he is cognizant to the inquisition in said cause filed numbered 194, (John McDonald,) on the 29th day of June, 1855, and that he was poor, utterly without means, and that he thinks an inquest in the above cause was necessary, and that, so far as he knows, the coroner never attempted to hold inquests without by request.

WM. J. GRIFFIN.

Subscribed and sworn before me, fifteenth da of May, 1861.
ASA GLADMON, *J. P.*

Authorized under the rule.

W. R.

37 No. 195.

James W. Allen testifies that he knew Elizabeth Bodier, age 38 years, a native of England, and had been in this country about two months; that she was poor and had no property. The inquest was held the 9th day of July, 1855. The inquest was held in a small house owned by Washington Berry, and near his residence, in the county of Washington. She killed herself by taking laudanum.

JAMES W. ALLEN.

District of Columbia, County of Washington, viz:

Subscribed and sworn to before me.

THOMAS C. DONN,
Justice of the Peace for Washington County, District of Columbia.

Authorized under the rule.

W. R.

W.

No.	Allowed.		Not allowed.		Jurors' fees unpaid.	Remarks.
	Fees.	Pay ts.	Fees.	Pay'ts to be allowed.		
1	.....	.....	18 75	18 45½	.....	Merely sudden.
2	.....	.....	.....	.....	.....	Property sufficient.
3	19 19½	21 25	.....	.....	.....	Ran over.
4	19 86¾	21 25	.....	.....	.....	Poisoned.
5	.....	.....	17 78	18 75	.....	Fit.
6	.....	.....	17 74½	17 50	1 25	Apoplexy.
7	17 71½	16 25	.....	.....	2 50	Drowned.
8	.....	.....	19 18½	18 75	2 50	Apoplexy.
9	.....	.....	19 88¾	22 50	.....	Intemperance.
10	.....	.....	17 78	18 75	.....	Debility.
11	19 19½	21 25	.....	.....	.....	Drowned.
12	19 19½	21 25	.....	.....	.....	Do.
13	.....	.....	19 12½	18 75	2 50	Intemperance.
38						
14	.....	.....	19 90½	22 50	.....	Hemorrhage.
15	19 86¾	21 25	.....	.....	.....	Drowned.
16	.....	.....	19 86¾	21 25	.....	Intoxication.
17	.....	.....	.....	.....	.....	Drowned; property sufficient.
18	.....	.....	19 86¾	21 25	1 25	Intoxication; dissipation.
19	17 07½	17 50	.....	.....	.....	Drowned.
20	18 42½	17 50	.....	.....	.....	Do.
21	17 07½	17 50	.....	.....	.....	Smothered accidentally.
22	17 70	20 00	.....	.....	.....	Exposure; suspicious circumstances.
23	.....	.....	17 68¾	15 00	3 75	Intemperance.
24	20 60¾	26 25	.....	.....	.....	Drowned.
25	18 48¾	22 50	.....	.....	.....	Certificate for burial required.
26	19 19½	21 25	.....	.....	.....	Asylum.
27	18 56	20 00	.....	.....	.....	Bad treatment; suspicion.
28	18 05½	18 75	.....	.....	1 25	Shot.

W—Continued.

No.	Allowed.		Not allowed.		Jurors' fees unpaid.	Remarks.
	Fees.	Pay'ts.	Fees.	Pay'ts to be allowed.		
29	.....	.....	19 83¾	20 00	.....	Intoxication.
30	18 45½	18 75	.....	.....	.....	Suffocation.
31	17 75	17 50	.....	.....	1 25	Drowned.
32	.....	.....	17 78	18 75	.....	Intemperance.
33	17 07½	17 50	.....	.....	.....	Found on the road.
34	17 04½	16 25	.....	.....	1 25	Smothered.
35	.....	.....	17 78	18 75	.....	Apoplexy.
36	20 60½	23 75	.....	.....	.....	Gaol.
37	17 07½	17 50	.....	.....	.....	Certificate for burial.
38	16 46¾	16 25	.....	.....	.....	Found in the street.
39	20 60¼	23 75	.....	.....	.....	Intemperance; suspicion.
40	18 48¾	20 00	.....	.....	.....	Drowned.
41	17 78	18 75	.....	.....	.....	Burnt.
42	18 45½	18 75	.....	.....	.....	Drowned.
39						
43	19 19¾	21 25	.....	.....	.....	Found in the street.
44	.....	.....	17 31¼	6 25	12 50	Died in bed.
45	17 98¾	10 00	.....	.....	10 00	Asylum.
46	22 71¼	6 25	.....	.....	22 50	Intemperance; suspicion.
47	17 51¼	18 75	.....	.....	10 00	Gaol.
48	.....	.....	17 98¾	5 00	15 00	Intemperance.
49	17 98	1 25	.....	.....	18 75	Suffocation.
50	15 96½	8 75	.....	.....	7 50	Found in st.
51	20 68¾	10 00	.....	.....	15 00	Drowned.
52	.....	.....	18 56½	3 75	17 50	Depression.
53	.....	.....	17 98¾	10 00	10 50	Intemperance.
54	18 66½	11 25	.....	.....	10 00	Found in alley.
55	17 98¾	1 25	.....	.....	18 75	Found in privy.
56	17 31¼	7 50	.....	.....	11 25	Found in st.
57	19 01¼	11 25	.....	.....	13 75	Slain.
58	16 63¾	1 25	.....	.....	16 25	Drowned.
59	16 56¼	1 25	.....	.....	16 25	Found in st.
60	34 18¾	21 25	.....	.....	60 00	Gaol.
61	.....	.....	18 56	1 25	20 00	Intoxication.
62	16 63¾	3 75	.....	.....	13 75	Burnt.
63	.....	.....	17 31¼	6 25	8 75	Intoxication.
64	17 31¼	6 25	.....	.....	12 50	Suffocation.
65	.....	.....	15 95	.....	16 25	Disease of heart.
66	19 34¾	3 75	.....	.....	18 75	Drowned.
67	23 38¾	8 75	.....	.....	21 25	Shot.
68	19 33¾	8 75	.....	.....	13 75	Laudanum.
69	.....	.....	17 81¼	7 50	12 75	Spasm.
70	.....	.....	17 31¾	10 00	9 00	Do.
71	16 63¼	.....	.....	.....	18 00	Found in st.
72	.....	.....	19 36¾	.....	22 50	Intemperance.
40						
73	17 31¾	.....	.....	.....	18 75	Suffocation.
74	15 86¼	.....	.....	.....	16 25	Found in st.
75	19 33¾	.....	.....	.....	22 50	Drowned.
76	19 33¾	.....	.....	.....	22 50	Rupt'e; spleen; suspicion.
77	16 63¾	.....	.....	.....	17 25	Drowned.
78	16 63¾	.....	.....	.....	17 50	Strangled.
79	.....	.....	19 33¾	.....	37 50	Found in shanty.
80	17 98¾	.....	.....	.....	20 00	Drowned.
81	.....	.....	17 98¾	2 50	17 50	Intemperance.
82	16 63¾	.....	.....	.....	17 50	Insane; fell from window.
83	17 98¾	.....	.....	.....	20 00	Drowned.

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W—Continued.

No.	Allowed.		Not allowed.		Jurors' fees unpaid.	Remarks.
	Fees.	Pay'ts.	Fees.	Pay'ts to be allowed.		
84	18 06¼	.....	.....	.....	21 25	Suicide.
85	17 31½	.....	.....	.....	18 75	Certificate for burial.
86	17 98¾	.....	.....	.....	20 00	Drowned.
87	17 32½	1 25	.....	.....	17 50	Do.
88	18 66½	.....	.....	.....	21 25	Intemperance; suspicion.
89	16 63¾	.....	.....	.....	17 50	Found in privy.
90	17 89¾	.....	.....	.....	20 00	Drown.
91	17 31½	2 50	.....	.....	16 25	Certificate for burial.
92	17 32½	.....	.....	.....	18 75	Suspicion of poison.
93	16 63¾	.....	.....	.....	17 50	Certificate for burial.
94	.....	.....	17 31¾	.....	18 75	Sudden.
95	.....	.....	.....	.....	.....	Property.
96	.....	.....	17 98¾	.....	20 00	Intemperance.
97	17 98¾	.....	.....	.....	20 00	Drowned.
98	18 03¾	.....	.....	.....	20 00	Do.
99	17 31½	.....	.....	.....	18 75	Neglect of mother.
100	18 68¾	.....	.....	.....	28 75	Drowned.
101	16 63¾	.....	.....	.....	17 50	Do.
41						
102	17 98¾	.....	.....	.....	20 00	Do.
103	17 98¾	.....	.....	.....	20 00	Suspicious circumstances.
104	18 66½	.....	.....	.....	21 25	Drowned.
105	.....	.....	17 31½	.....	18 75	Sudden.
106	.....	.....	17 98¾	.....	20 00	Apoplexy.
107	16 63¾	.....	.....	.....	17 50	Drowned.
108	.....	.....	17 98¾	3 75	16 25	Sudden.
109	18 66¾	.....	.....	.....	21 35	Morphine.
110	.....	.....	19 33¾	.....	22 50	Debility.
111	17 31½	.....	.....	.....	18 75	Drowned.
112	.....	.....	17 31½	.....	18 75	Intemper'ce; heat.
113	.....	.....	15 96	.....	16 25	Apoplexy.
114	17 31½	.....	.....	.....	18 75	Drowned.
115	17 98¾	.....	.....	.....	20 00	Do.
116	16 63¾	.....	.....	.....	17 50	Found in st.
117	17 31¾	.....	.....	.....	18 75	Shot himself.
118	16 63¾	.....	.....	.....	17 50	Found in st.
119	.....	.....	17 98¾	.....	20 00	Intemperance.
120	.....	.....	17 32½	1 25	17 50	Sudden.
121	16 63¾	.....	.....	.....	17 50	Found in st.
122	.....	.....	17 98¾	.....	20 00	Intemperance.
123	.....	.....	17 31½	.....	18 75	Do.
124	.....	.....	17 31½	.....	18 75	Dissipation.
125	19 36¾	.....	.....	.....	22 50	Blow; suspicious.
126	.....	.....	18 01¾	.....	20 00	Intemperance.
127	17 21½	.....	.....	.....	18 75	Smothered.
128	16 63¾	.....	.....	.....	17 50	Drowned.
129	.....	.....	16 63¾	.....	17 50	Intemperance.
130	17 98¾	.....	.....	.....	20 00	Cramps; suspicious.
131	15 96¾	.....	.....	.....	16 25	Found in street.
42						
132	16 63¾	.....	.....	.....	17 50	Do.
133	17 98¾	.....	.....	.....	20 00	Cut his throat; deranged.
134	17 31½	.....	.....	.....	18 75	Gaol.
135	.....	.....	17 31¾	.....	18 75	Disease of heart.
136	17 31½	.....	.....	.....	18 75	Run over.
137	17 96	1 25	.....	.....	18 75	Found in privy.
138	15 95¾	.....	.....	.....	16 25	Found in sewer.

W—Continued.

No.	Allowed.		Not allowed.		Jurors' fees unpaid.	Remarks.
	Fees.	Pay'ts.	Fees.	Pay'ts to be allowed.		
139	16 63¾	.....	.....	.....	17 50	Suspicious circumstances.
140	20 01¼	.....	.....	.....	23 75	Strichnine.
141	.....	.....	17 31½	.....	18 75	Sudden.
142	18 31½	.....	.....	.....	18 75	Suffocation.
143	.....	.....	17 98¾	.....	18 75	Disease of heart.
144	17 63¾	.....	.....	.....	17 50	Drowned.
145	17 31½	.....	.....	.....	18 75	Gaol.
146	16 63¾	.....	.....	.....	17 50	Do.
147	17 31½	.....	.....	.....	18 75	Do.
148	.....	.....	15 96½	.....	17 50	Dissipation.
149	.....	.....	16 63¾	.....	17 50	Intemperance.
150	17 31½	.....	.....	.....	18 75	Shot,
151	17 98¼	.....	.....	.....	20 00	Slain; accident.
152	.....	.....	16 63¾	.....	17 50	Intemperance; exposure.
153	.....	.....	16 63¾	.....	17 50	Hemorrhage.
154	.....	.....	17 31½	.....	18 75	Intemperance; exposure.
155	16 63¾	.....	.....	.....	17 50	Gaol.
156	.....	.....	17 98¼	.....	20 00	Disease of heart.
157	20 01¼	.....	.....	.....	23 75	Shot.
158	17 31½	.....	.....	.....	18 75	Run over.
159	18 68¼	.....	.....	.....	21 25	Killed.
43						
160	20 68¼	.....	.....	.....	25 00	Found in st.
161	.....	.....	17 98¾	.....	20 00	Intemperance; exposure.
162	17 31½	.....	.....	.....	18 75	Drowned.
163	.....	.....	.....	.....	.....	Property.
164	17 31½	.....	.....	.....	18 75	Drowned.
165	.....	.....	.....	.....	.....	Fit; property suff't.
166	17 31½	.....	.....	.....	18 75	Killed by cars.
167	15 96½	.....	.....	.....	16 25	Found in st.
168	.....	.....	17 98¼	.....	20 00	Spasm.
169	18 98¾	.....	.....	.....	20 00	Gaol.
170	16 63¾	.....	.....	.....	17 50	Smothered.
171	18 66½	.....	.....	.....	21 25	Throat cut; deranged.
172	17 98¾	.....	.....	.....	20 00	Suicide.
173	16 68	.....	.....	.....	17 50	Killed by falling bank.
174	19 16½	.....	.....	.....	21 25	Intemperance; suspicion.
175	16 63¾	.....	.....	.....	17 50	Gaol.
176	.....	.....	17 31½	.....	18 75	Sudden.
177	18 02¾	.....	.....	.....	20 00	Asylum.
178	.....	.....	16 61½	.....	17 50	Dissipation.
179	18 66½	.....	.....	.....	21 25	Drowned.
180	.....	.....	16 63¾	.....	17 50	Fit.
181	17 31½	.....	.....	.....	18 75	Drowned.
182	16 63¾	.....	.....	.....	17 50	Gaol.
183	17 31½	.....	.....	.....	18 75	Found in alley.
184	20 01½	.....	.....	.....	23 75	Drowned.
185	16 13½	.....	.....	.....	18 75	Apoplexy.
186	16 63¾	.....	.....	.....	17 50	Found in drain.
187	20 01½	.....	.....	.....	38 75	Slain.
188	15 96½	.....	.....	.....	17 50	Found in st.
189	.....	.....	17 03¾	.....	17 50	Disease of heart.
44						
190	17 98¾	.....	.....	.....	20 00	Killed.
191	17 98¾	.....	.....	.....	20 00	Drowned.
192	16 63¾	.....	.....	.....	17 50	Drowned.
193	17 31½	.....	.....	.....	18 75	Do.

W—Continued.

No.	Allowed.		Not allowed.		Jurors' fees unpaid.	Remarks.
	Fees.	Pay'ts.	Fees.	Pay'ts to be allowed.		
194	.....	.....	17 31½	.....	18 75	Drinking cold water.
195	17 98½	.....	.....	.....	20 00	Suicide.
196	.....	.....	15 96½	.....	16 25	Disease of heart.
197	16 97½	.....	.....	.....	17 50	Found in alley.
198	15 96½	.....	.....	.....	16 25	Found in sewer.
199	15 96½	.....	.....	.....	16 25	Drowned.
200	17 98½	.....	.....	.....	20 00	Do.
201	15 96½	.....	.....	.....	16 25	Found in privy.
202	16 98½	.....	.....	.....	20 00	Found concealed.
203	16 98½	.....	.....	.....	20 00	Found in canal.
204	16 98½	.....	.....	.....	17 50	Drowned.
205	15 95	.....	.....	.....	16 25	Found in canal.
206	17 31½	.....	.....	.....	18 75	Drowned.
207	23 01½	.....	.....	.....	31 25	Murder.
	2,570 10½	680 00	1,048 91½	328 45	3,043 80	

W. REDIN, *Aud'r.*

1	Agnes Morgan		1853, July 3	The deceased, on the day of her death, went out of the city to labor on the farm of Owen Murray, in Virginia; that she became sick from the effects of heat and drinking cold water, and while endeavoring to return to her father's residence, in the city of Washington, died.
	Fees, 12 jurors, 3 wit's	$18 75		
	Summoning 16	$8 00		
	Empanelling	1 50		
	Swearing	2 80		
	Viewing body	4 37½		
	Com'n on $18 75	46¾		
	Returning	1 31½		
		18 45½		
		37 20½		
2	William Voss		4	Left home yesterday morning, July 3, 1853, and was seen passing up Water street between 8 and 9 a. m.; that from the appearance of his clothing he was bathing in the Potomac river, and came to his death by accidental drowning.
3	William H. Thomas		5	On the evening of the 4th day of July, 1853, was playing in the street opposite his father's dwelling, at which time a four-horse omnibus, driven by one James Otter, was passing up 11th street from the steamboat wharf in a moderate trot, and that in passing said child one of the foremost horses struck the said child with his hoof, the driver's attention at the time being directed towards the passengers, receiving their fare and given change, and that before he could stop the horses one of the wheels of said omnibus passed over said child; and the jury believe, from the evidence, that said child came to his death by the injury thus sustained, and that it was purely accidental.
	Fees	19 19½		
	Jurors and wit's	21 25		
4	Male child of Marg't Murphy		26	Said infant came to its death by the accidental administration of an overdose of opium intended for its grandmother, administered by the aunt of the said infant, instead of medicine intended for the child.
	Fees	19 86¾		
	Jurors and wit's	21 25		
46				
5	Mary Sanders		29	Was apparently in perfect health this morning, and for some time previous, and about sunrise this morning she dressed herself, and suddenly fell on the floor in an epileptic fit, and died in half an hour, she being subject to fits for the last twenty years.
	Fees	17 78		
	Jurors and wit's	18 75		
6	Neg. Richard Contee		August 8	Died in the house of Florence Dary, after a sickness of 24 hours, in an apoplectic fit, brought on by excessive intemperance.
	Fees	17 74½		
	Jurors and wit's	16 50		
7	Frances L. Paca		11	On the 10th instant, in the afternoon, was carried into Rock creek to bathe by a man who was with him, who was trying to learn him to swim, and when he left him, not knowing how to swim, he was drowned; and the jury believe it was accidental.
	Fees	17 71½		
	Jurors and wit's	16 25		

8	Henry Kiel		11	Was as well as usual this morning. About 2 o'clock to-day he complained of a headache, and left the Patent Office, where he was at work. On his way home he fell in the street and immediately died; and the jury believe, from the evidence, that the said Kiel came to his death by apoplexy, superinduced by his previous bad habits of drink and the excessive heat of the day.
	Fees	19 18¾		
	Jurors and wit's	18 75		
9	William Reimsnider		14	Had been for a long time of very intemperate habits; that for the last two or three days he had complained much and drank largely; that between 5 and 6 o'clock p. m. of the 13th inst. he was found on the road near the toll-gate in a dying state; and the jury believe, from the evidence, that the deceased came to his death from convulsions brought on by intemperance.
	Fees	19 88¾		
	Jurors and wit's	22 50		
47				
10	Neg. William H. Green		15	Was ailing from the time of its birth until Saturday, the 13th of August, when it seemed to be better; that on Sunday morning, 14th, it was discovered to be dying, and about one o'clock it died; and the jury believe that the said William H. Green died from general debility from birth.
	Fees	17 78		
	Jurors and wit's	18 75		
11	Martin Lauxman		26	Was found floating in the Washington city canal on the morning of the 26 Aug., 1853; and the jury believe, from the evidence, that the said Martin fell accidentally into the Washington city canal and was drowned by missing his way home, being a very dark night.
	Fees	19 19¼		
	Jurors and wit's	21 25		
12	Margaret Iseman		27	Left her home on Thursday about 7 o'clock p. m., the 25 inst., and on this morning was found floating at Combs's wharf, in the Eastern Branch; and the jury believe, from the evidence, that she, while in a fit of temporary derangement, threw herself in the river, and was drowned.
	Fees	19 19¼		
	Jurors and wit's	21 25		
13	John Lomax		28	Was in a drunken frolic for about ten days; was lying on the floor of his own house on the afternoon of the 21th of August, 1853. About 2 o'clock he requested his wife to hand him a drink of water, and said good-bye, and immediately expired; and the jury believe, from the evidence, that the said John Lomax came to his death from the effects of excessive intemperance.
	Fees	19 12½		
	Jurors and wit's	18 75		
48				
14	James R. May	Sept.	1	Was attending to his usual business during the day, and came home to his supper about 6 o'clock this evening, and while sitting at the table was taken with a cough, and commenced throwing up a quantity of blood, and expired immediately; and the jury believe, from the evidence, that the said James R. May came to his death from hemorrhage of the lungs.
	Fees	19 90½		
	Jurors and wit's	22 50		
15	Hugh F. Gebb		4	Was seen yesterday, Sep. 3d instant, near and passing over 7th street bridge, over the canal, about 3 o'clock, in a state of intoxication, and was found this afternoon, about 4 o'clock, floating in the canal, between 12th and 14th street bridges; and the jury believe that while intoxicated on Saturday evening, Sept. 3 instant, he fell into the canal and was drowned.
	Fees	19 86¾		
	Jurors and wit's	21 25		

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16	Thomas A. Hawke		Sept.	6	Had been upon a drunken frolic; that on last *on last* night he was much intoxicated; went to bed, and after remaining in bed for a short time he arose and went into the street, where he was found this morning on the walk dead, with a broken bottle in his hand; and the jury believe, from the evidence, that his death was caused by intoxication.
	Fees	19 86¼			
	Jurors and wit's	21 25			
49					
17	William B. Magill			6	Left his residence on the 4th instant, and was found this morning in the Eastern Branch, a little below the magazine, on the bank of said river; and the jury believe, from the evidence, that he accidentally fell from a boat in said branch and was drowned.
	Fees	20 54½			
	Jurors and 5 wit's	21 25			
18	James Malcolm			7	Had for the last month been on a drunken spree; and the jury believe that dissipation and exposure to the sun caused his death, which occurred suddenly, this day, at ½ past 12 o'clock m.
	Fees	19 86¼			
		21 25			
19	Woman, name unknown			8	Was found this morning floating in the canal, near the aqueduct; that she had the appearance of being a person of dissipated habits; and the jury believe that she fell into the canal and was accidentally drowned.
	Fees	17 07½			
	Jurors and wit's	17 50			
20	Clarence Wilson			8	In the absence of its parents climbed upon rain-hogshead, fell in, and was drowned; and the jury believe it was accidentally drowned.
	Fees	18 42½			
	Jurors and wit's	17 50			
21	Female mulatto infant			12	Was last seen alive about two hours before day, when it was nursed by its mother; that when next seen by its father it was dead; and the jury believe it came to its death by being accidentally laid upon by its mother in her sleep.
	Fees	17 07½			
	Jurors and wit's	17 50			
		34 57½			
50					
22	Female mulatto child			19	On the morning of the 19th inst. the mother of the child, Nelly Ann Easton, was found walking along the banks of the canal, near Chism's lime-kiln, apparently with a view of throwing the body of the child, which she carried, into the water; that the mother was arrested, and the child was brought to the office of Samuel Drury, esq.; that the child was dead when the mother was first arrested. The jury believe that the child was born last night alive, and came to its death from neglect, exposure, &c., &c.
	Fees	17 70			
	Jurors and wit's	20 00			
		37 70			
23	Patrick Quinn			22	Commenced work in apparent good health on the avenue this morning, loading a cart with dirt, grading the avenue, and suddenly fell with the shovel in his hand, and died in less than five minutes, and the jury believe the deceased was of intemperate habits, and died in consequence of excessive intemperance.
	Fees	17 68¾			
	Jurors	15 00			
		32 68¾			

51				
24	Neg. Edward Tyler		28	Was paid off at the building on 8th street east, near the marine barracks, by George H. Plant, about 6 o'clock p. m., on Saturday, the 24th September, 1853, at which time deceased appeared to be partially intoxicated; that he left there in company with two other laborers in an omnibus, who left deceased at the corner of 6th street and Pennsylvania avenue; that he was afterwards seen in company with a man, name not known, near the corner of 4½ street and Maryland avenue, and was not afterwards seen until Wednesday morning, 28th inst., when he was found in the canal, between Maryland avenue and D street. No money found on his person except a silver five-cent piece, there being some suspicion of foul play being shown the deceased. The jury, after a careful investigation, are not able to say whether he came to his death by accidental drowning or by being throwing therein, there being no marks of violence on his person.
	Fees 20 60¼			
	Jurors and wit's 26 25			
25	Neg. Sandy Bayly.....		29	Was taken on Monday, the 26th instant, with spasms, and died on the morning of the 27, between 12 and 1 o'clock a. m.; that the mayor of the city was called upon not until Thursday, the 29th instant, for a permit to bury the deceased in the corporation burying-ground, and he, suspecting something might be wrong with regard to his death, deemed it most advisable to hold a jury of inquest before his burial; and the jury, after a careful examination, believe, from the evidence of the physician and others, that the deceased was a man of intemperate habits, and died of delirium tremens.
	Fees 18 48¾			
	Jurors and wit's..... 22 50			
52				
26	Samuel Lewis		29	Was arrested in the city of Washington on the night of the 27th instant and taken to the watch-house for being drunk publicly in the street, and was committed by Justice J. D. Clarke on the morning of the 28th to the penitentiary department of the Washington asylum, where he died on the evening of the same day about 10 o'clock; and the jury believe, from the evidence, that deceased died of delirium tremens suddenly, and before the intendant of the asylum was apprised of his illness, which disease was brought on by excessive drinking for the last five or six weeks.
	Fees 19 19¼			
	Jurors and wit's..... 21 25			
	40 44½			
27	Neg. John Smith.	Oct.	2	Was sickly for several months, supposed to be with the consumption; that on the morning of the first of October he was cruelly beaten by Elisha Grant, with whom the said John was then living; that he then went to bed, eat nothing, and died about 3 o'clock in the afternoon; and the jury believe that the said John came to his death from the effects of said disease, hastened by the effects of the treatment he received from said Elisha Grant.
	Fees 18 56			
	Jurors and wit's			
53				
28	Charles Ross		8	And several of his acquaintances were starting from near the south end of the Navy Yard bridge upon a gunning excursion down the Potomac river, and of the placing the guns in a small boat to be conveyed to a larger one lying further out from the landing, Mr. James Burdine, one of the party, standing in the boat, when by some cause unknown to the jury one of the guns was discharged, striking deceased in the left side, little below the ribs, causing death in some thirty minutes; and the jury believe, from the evidence, that it was purely accidental.
	Fees 18 05½			
	Jurors and wit's..... 18 75			

29	Jane Nugent	Oct.	17	Was a woman of loose, dissipated habits; that she had been lately indulging freely in liquor; and the jury believe, from the evidence, that her death, which occurred this morning between daylight and sunrise, was caused by intoxication or dissipation.
	Fees 19 83¾			
	Jurors and wit's..... 20 00			
30	Negro male child.....	Nov.	1	Was the son of negro woman named Catherine, belonging to James Edeline, of the marine corps; that he being ordered to the Norfolk navy yard, placed it with negress Sophia Taylor to raise; that on yesterday and last night it was well, playful, and hearty. Sophia had it in bed about half-past 11 o'clock p. m., and this morning about 7 o'clock a. m., when she went to take it up, she found it dead; and the jury believe, from the evidence, that it died from suffocation, Sophia having thrown the quilt over its face on last night.
	Fees 18 45½			
	Jurors and wit's..... 18 75			
54				
31	Neg. Mary Cath'a Thomas		6	Was playing in the yard of its parents' house on the evening of Saturday, the 5th instant, about 5 o'clock p. m., when an alarm was given that the deceased had fallen in a barrel of water; and the jury believe, from the evidence, that the deceased came to her death by accidental drowing in said barrel of water.
	Fees 17 75			
	Jurors and wit's 17 50			
32	Neg. Henry Bryant.....		8	Was seen yesterday, 7th instant, about 6 o'clock in the morning, in his usual health, and that about 4 o'clock in the afternoon of the same day his house was broken open, and he was found dead, lying upon his bed; that he was a man of very intemperate habits; that his health had been bad for a long time past; that no marks or evidences of violence of any kind are visible on his person, and that the cause of his death is unknown to the jury.
	Fees 17 78			
	Jurors and wit's 18 75			
	36 53			
33	Newly born white female child.		10	Was found, as aforesaid, (on the side of the road leading from the old paper-mill bridge to old race-ground, a little south of the gate leading to Kalorama,) lying uncovered in the road, and that, from the appearance of the body and the attending circumstances, the jury believe the said child came to its death by violence and neglect of the proper means of preserving life after its birth.
	Fees 17 07½			
	Jurors and wit's 17 50			
55				
34	Infant Mary Ann Hurst		13	Was as well as usual on the night previous, and was in bed with its father and mother; that in the course of the night it seemed to have turned over partly on its face, and was found in that position in the morning about 7 o'clock dead; and the jury believe, from the evidence, that the said Mary Ann Hunt came to its death by turning on its face in the course of the night, and was accidentally smothered, and that no blame attaches to its parents.
	Fees 17 04½			
	Jurors and wit's..... 16 25			

35	Neg. Ketty Honest.....			
	Fees	17 78		
	Jurors and wit's	18 75		
		36 53		
36	Neg. Henry Steward.....			
	Fees	20 60½		
	Jurors and wit's	23 75		
56				
37	Newly-born mulatto female infant			
	Fees	17 07½		
	Jurors and wit's.....	17 50		
		34 57½		
38	Newly-born negro male child.....		Dec.	1
	Fees	16 46½		
	Jurors and wit's.....	16 25		
39	Jacob Wolfangle.....		1853, Dec.	1
	Fees	20 60½		
	Jurors and wit's.....	23 75		
57				
40	John Webber			6
	Fees	18 48¾		
	Jurors and wit's	20		

17 Was seen on the morning of the day of her death, apparently in good health; that she was found on a vacant lot bet. 26th and 27th streets about 6 o'clock p. m. on the 16th inst. lying dead; that, from the testimony of the physician and others, the jury believe that the deceased was about sixty years of age, and came to her death by reason of an attack of apoplexy.

24 Was committed to jail on the 14th day of November, 1853, on a charge of stealing, and also for being a runaway; that about seven days past he was taken very sick with an inflammation of the upper bowels, which, after proper treatment, he was relieved, but in consequence of his inability and constant refusal to receive any nourishment he continued to get worse until about one o'clock on the night of the 23 November, 1853, when he died. The jury found, from the evidence, that the deceased had every attention paid him by the physician of the jail and the officers attached to the same which it was possible for them to render, and the jury believe, from the evidence, that the said Henry died from the effects of said inflammation of the bowels and his inability to take proper nourishment to keep him alive.

26 Was born alive during the night of Tuesday, the 22d inst., and was delivered by its grandmother; that the child was not seen by any physician until after death, and that then the doctor declined signing any certificate of its decease without an examination by the coroner's inquest, and that, from the whole evidence, the jury believe the said child came to its death by natural causes, and not from any violence, ill-treatment, or neglect.

Was found by a colored woman early on the morning of the 1st day of December, 1853, lying on some trussels in front of a new building, unoccupied, on said I street, between 13th and 14th streets, wrapped very neatly in fine clothes, apparently about ten days old, and the jury, from the evidence, are unable to say from what cause the said infant came to its death.

Was apparently in good health on the evening of Tuesday, 29th of November, 1853; that about 5¼ o'clock a. m. on the morning of the 30th of November he was found to be in a dying condition by his bedfellow, and died whilst said room-mate had gone for assistance; that strong suspicions have been aroused that his death was caused by some foul means, amongst others his having been clandestinely buried, but that after a fair and impartial examination, the jury can find no cause to suppose that his death was thus occasioned; that he was a man of very dissipated habits, and, from the evidence, the jury believe that he came to his death from some cause or causes to them unknown.

6 Was a German, and an enlisted man in the U. S. Ordn. Dep't, stationed at Washington arsenal, D. C.; was last seen about 4 o'clock p. m. on Sunday the 4th of Dec'b., 1853, slightly intoxicated, when he stated to one of his comrades that he was going to take a ride in a skiff, and he was not afterwar's seen until he was found dead on the 5th Dec'b'r, 1853, and that the jury believe from the evidence that he fell out of said skiff and was accidentally drowned.

41	Neg Catherine Davis	1853, Dec. 18	Was engaged in the kitchen of Dr. Boyle, as an assistant in washing, about 9 o'clock on Saturday, the 17th inst., ironing, and a short time an alarm being raised by her shrieks, she was found enveloped in flames, and died on this day about 12½ p. m., and the jury believe that while at work in the kitchen aforesaid, her clothes (which were entirely of cotton) caught fire, and that she so seriously burned as to cause her death as aforesaid.
	Fees $17 78		
	Jurors and wit's 18 75		
	36 53		
42	John Downes	25	Was seen at the house of Mr. McGann, on Pennsylvnia avenue, near the old railroad depot, about 9 o'clock on the night of the 24th Dec'b., 1853, apparent intoxicated, and that said Downes was found on the morning of this 25th Dec'b, inst.. in the canal, between Maryland avenue and C street south, dead and stiff, and the jury believe, from the evidence, that said deceased came to his death by accidental drowning, supposed to have fallen into said canal on his way home.
	Fees 18 45½		
	Jurors and wit's 18 75		
58			
43	Newly born white male infant	26	Was found in a rough box partly buried in a bank of dirt on G street, between 9th and 10th streets, by two boys; that the said child was born on Thursday, the 22d of December, 1853, and died the same day in about eleven hours; that the mother being in such extreme proverty, that she was unable to pay for having it buried, and in consequence got a friend to employ a colored man to take and bury it privately; that no evidence seem to have been used, and the jury believe, from the evidence, that said infant died from act of God.
	Fees 19 19¾		
	J. and w. 21 25		
44	Ann Ringold	1854, Jan'y 5	Was as well as usual on Wednesday, the 4th inst.; went to bed about the usual time, and about half past three in the morning her husband discovered that she was dead in the bed, and the jury believe, from the evidence, that the said Ann Ringold came to her death from the act of God.
	Fees 17 31¼		
	Jurors 6 25		
45	Neg. Lucy Williams	5	Was on the 4th day of Jan'y, 1854, sent to the Washington Asylum, by the order of C. A. Davis, one of the commissioners of said asylum; that her disease was dropsy, and that she was accordingly brought to said asylum on the evening of the 4th Jan'y, 1854, and while two of the men were assisting her to her room she fell and expired, and the jury believe, from the evidence, that said Lucy came to her death by the disease aforesaid.
	Fees 17 98¾		
	7 jurors and wit's 10		
59			
46	Emeline Lachey	7	Had been for several months past a woman of very dissipated habits, and that she lived with Mena Uttermuhle, and that the said Uttermuhle had been in the habit of ill-treating her; that about two months since he cut her head with an axe, and subsequently struck her over the head with a pair of tongs; that the deceased and said Uttermuhle had been in the habit of fighting, and that the neighbors had often heard blows and the cry of murder in the house occupied by them, and in the absence of a physician, notwithstanding every effort was made by the coroner to obtain one, to make a post mortem examination, the jury believe, from the evidence, that the deceased came to her death from intemperance and ill-treatment and cruelty at the hands of said Uttermuhle, and that the deceased died this day about 12 o'clock m.
	Fees 22 71¼		
	Jurors and wit's 6 25		

47	Mena Uttermuhle..... Fees ..... 17 51½ J. and w..... 18 75	12	Was committed to the Washington county jail on the 7th day of January, 1854, charged with cruelly beating Emeline Lachey; that he was at the time of his committal under the influence of *manua portu* and continued so until he died; that the said Mena was discharged by order of the grand jury from imprisonment on the 11th inst., but was too unwell to be removed from the prison; that everything was done to relieve him that could be done by the physician and the officers of the prison, to no effect; that he died on the night of the 11th inst., and the jury believe, from the evidence, that the said Mena Uttermuhle came to his death from the effect of *manua portu* brought on by excessive intemperance.
60			
48	Negro John Gaskins..... Fees ..... 17 93¾ J. and w..... 5 00	14	Was seen late on the afternoon of the 13th, (yesterday,) intoxicated, and having fallen in the street, cutting his head; that he was seen at 11 o'clock last night near Douglas's green-house, apparently drunk; that he was found dead on 15th street, near Douglas's green-house, this morning, where the inquest was held; and that he came to his death by intemperance and exposure.
49	Neg. Nelly Ditton..... Fees ..... 17 98 Juror 1 25	15	Was last night in usual health when she went to bed, about 10 o'clock; that her child was suddenly taken with the croup, and the deceased became alarmed and had convulsions; that her mother finding her in this state, sent for a physician, by whom she was seen about 11 o'clock; that Mr. Mosher remained with her until 2 o'clock, when, thinking her better, he left her in charge of a man and woman, with directions to call him should she become worse, but that afterwards a fire having been made in the room, with charcoal, they became stupefied and neglected to do so, and the jury believe, from the evidence, that her death was caused from the effects of the charcoal.
50	Newly-born white male infant..... Fees ..... 15 96¼ Jurors, &c..... 8 75	1854, Jan'y 17	Was found this morning about sunrise on an open lot between K and L streets and 13th and 14th streets, in the city of Washington, and the jurors believe that the said child was born alive, and that its death was caused by foul means by some person or persons unknown to the jury.
61			
51	Neg. Henry Butler..... Fees ..... 20 68¾ J. and w..... 10 00	18	Was seen about ½-past 6 o'clock p. m. on January 17th, 1854, on the Virg'a side of the Alex'a aqueduct, in company with a white man named Rich'd Sorrel, (or Sole,) and that the said Sorrel used angry words towards said deceased, which induced one of the witnesses to leave them, fearing Sorrel would do something wrong; and in a few minutes after said witness left there were heard loud cries of murder and distress by various persons in the neighborhood, some of whom went to his relief and found his body drowned in the Potomac, a few feet from the Virg'a end of the aqueduct, and, from the evidence before them, the jury believe that some foul play was used towards the said H. Butler, by which he was thrown from the aqueduct in the Potomac river and drowned.

52	William H. Tucker Fees $18 56½ Three jurors 3 75	1854, Jan'y 25	Was last seen about dusk yesterday evening, when he appeared to be in usual health; that he had been for some time indisposed, and that he was depressed in spirits on account of having been discharged from the navy yard and unable to procure work elsewhere; that he was in a very destitute condition, being in want of wood, &c.; that he was not seen again until this morning about 10 o'clock, when he was found dead, and the jury believe, from the evidence, that his death was caused by general congestion.
62			
53	Neg. James Lewis Fees 17 98¾ Jurors, &c. 10 00	26	Was a man of very intemperate habits; that he was taken with *manu potu* on Saturday last, and has been confined to his bed ever since; that he made his escape from his residence (situated on the corner of 15th and K streets) last night about 10 o'clock, and was found dead this morning about 8 o'clock on the side of the road near Pearson's mill, nearly naked, and the jury believe, from the evidence, that the said Lewis came to his death from exposure produced from the above causes.
54	Newly-born female mulatto infant Fees 18 66¼ J. and w 11 25	30	Was found on Saturday night, the 28th instant, between 9 & 10 o'clock, in the public alley between I and K streets, and between 11th and 12th streets, by a colored woman who was attracted to it by its faint cries. Said infant was entirely naked, and apparently just born. It was lying in a wet place, and partially frozen. It was taken by Dr. Lee into the house of a colored woman close by, and every means proper to save its life was resorted to, but to no effect. It lived until Sunday, the 29th, when it died about two o'clock in the afternoon, and the jury believe, from the evidence, that the said infant came to its death from the said exposure, and left where it was found by its mother, who is unknown to the jury.
63			
55	Newly-born white female infant Fees 17 98¾ One juror p'd. 1 25	Feb'y 2	Was found about 9 o'clock a. m., in the privy attached to the house occupied by Mrs. Chatwell and others, and, from the evidence, the jury are led to believe it was placed in said privy by some person or persons to them unknown, and the jury do not believe that any of the occupants of said house had any connexion with the said infant, and said infant came to its death from exposure and want of proper attention.
56	Newly-born white male infant Fees 17 31¼ J. and w 7 50	3	Was found on the 3d inst., on the premises of Charles Turner, on 6th street, between F & G streets, placed behind some window-frames, and between them and the fence, with its head partly covered with some dirt, and entirely naked, and the jury believe, from the evidence, that the said infant came to its death from the effects of violence or exposure to the inclemency of the weather, by some person or persons unknown to them, and placed where it was found within the last twenty-four hours.

57	Benjamin Riston			On the night of the 6th of February, 1854, was at his own house, when his daughter, while going to the pump for water, had the bucket taken from her by a man apparently intoxicated; that on learning the fact he took an axe and went in pursuit of him; that they met, and the person took the axe from him and inflicted two blows with said axe on the head of said Riston, one of which fractured the skull, when he fell, and was carried into his own house, where he lingered until the night of the 15th of February, 1854, when he died, and the jury believe, from the evidence, that the said Benjamin came to his death from the effects of said blows, and also believe, from said evidence, that said blows were inflicted by a person by the name of John McGuire.
	Fees	19 01¼		
	Jurors and I w	11 25		
64				
58	White man, supposed to be a German		28	Was found at the place above named, but how he came to his death, and when, the jury are unable to determine. He had the appearance of a person who had been in the water a long time, and was much bruised and disfigured in the face.
	Fees	16 63¾		
	Juror	1 25		
59	Newly-born colored female child		March 1	Was found on square No. 31, Washington, in a box, being well dressed; that from the length of time which the said infant had lain there the jury were unable to find any marks of violence, but that, from all the circumstances, the jury believe said infant came to its death from wanton cruelty at the hands of some person or persons to them unknown.
	Fees	16 56¾		
	Juror	1 25		
		17 81¼		
60	George A. Gardner		3 4 10	Was on the 3d day of March, 1854, convicted of false swearing touching a claim against the United States, and sentenced to the penitentiary of the D. C. for ten years, to take effect after the rising of the next circuit court, and placed in the hands of the deputy marshal of this D. C. to be taken to the jail, and while in the jail he was taken sick, and died in about two hours after, * * * * and, from the evidence before us, we are of the opinion that he came to his death from strychnine and brucine, voluntarily taken after conviction and sentence.
65				
61	Patrick Brennan		5	Was seen at St. Matthew's church, apparently in better health than usual, at 11 o'clock this day; that he was seen about 2 o'clock on his way home, apparently intoxicated; that he was seen to enter the door of his store; that he was found about sundown in said store dead, lying between a barrel and a sack of coffee; that there were no marks of violence upon the person of deceased sufficient to cause death, and that, from the evidence adduced on the inquest, this jury conclude that said deceased came to his death from causes unknown to them.
	Fees	18 56¼		
	One juror p'd	1 25		
62	Mulatto male child		1854, March 7	Came to its death by being smothered and burned in a room at said Mansion House occupied as a sleeping room by said negro Mary while she was absent for a short time, which fire was caused by her improperly kindling fire on the hearth in said room in close proximity to the bed, and against the express orders to her frequently given by Daniel Rowland.
	Fees	16 63¾		
	Jurors	3 75		

63	Daniel Cover Fees $18 66¼ Jurors and wit's 12 50	March	15	Was yesterday much intoxicated. He, his wife, and Thomas Hines were drinking together last evening. They left him in the house alone and went down town, and when she returned about 10 o'clock p. m. she found him dead; and although some of the witnesses thought he received some personal injury which hastened his death, there being no marks of violence upon his person perceptible, the jury *is* unable to determine what caused his death. He lived with his wife very unhappily, almost continually fighting or quarrelling.
66				
64	Bright mulatto male infant Fees 17 31¼ Jurors 6 25		16	Was well last night about 11 o'clock, when it was put to bed by its mother, and was found dead this morning about half-past 3 o'clock. From the evidence of a druggist near by, who was examined, who stated that he thought that he sold the mother of said infant paregoric last night, and that she stated that her child was cross, and that she wanted said paregoric to give to her child, but when questioned could not say positively that the mother was the person that he had sold it to, and the jury believe, from the evidence and the position of the child, that it came to its death from suffocation by being overlaid by its mother.
65	William Scott			Whilst eating his dinner, fell from his chair and suddenly died. At the urgent solicitations of the officers of the college, and after being several times sent for, the coroner was induced to hold an inquest, and from the evidence adduced by said inquest, the jury believe that deceased came to his death from an affection of the heart.
66	Michael Lanaham Fees 19 34¼		18	Left the brickyard of Coleman & Smith yesterday afternoon about 4 o'clock. From thence he went in company with several others to a shop kept by a person called Bailey, where he drank several glasses of liquor. There being some suspicion that whilst there he had a difficulty with some one, the jury examined into the facts carefully, but could not ascertain such to be the case. He left there about 8 o'clock, and was next seen crossing New Jersey avenue, near N, by Mr. Kelly Lambell, and proceed towards the canal and walk overboard. Efforts were immediately made to get him out, which was accomplished in ten or fifteen minutes. Every effort was made to bring him to life, but all to no effect, and the jury believe, from the evidence, that the said Michael Lanaham came to his death by accidental walking into the said canal and drowning.
67	Jurors 3 75			
67	Patrick Hurley Fees 23 38¼ Jurors 8 75		20	Was at the house of John Maher on Monday, the 6th inst., playing cards in company with John Keefe, Patrick Lee, and John Conner, the latter of whom had some words with John Keefe. From thence they went to the house of said Conner, and drank some liquor. They returned from Conner's house (leaving Conner there) to Maher's, on north A st., bet. 2d and 3d sts. east. Soon after this a gun was fired through the window of Maher's house, and *toof* effect on the right side of said Hurley, under the arm, and rather

			towards the back, from the effects of which the said Hurley died on the 19th inst., at 20 minutes of 7 o'clock p. m.; and the jury believe, from the evidence, that the said Hurley came to his death from the effects of said shot fired by the said John Conner.
68			
68	Negro child Rachel..... Fees ..... 19 33¾ Jurors 8 75		21 Was yesterday apparently in good health; that the mother of said infant, for the purpose, as she said, of making it sleep soundly, gave it a large dose of laudanum; and the jury believe, from the evidence, that the death of said infant was caused by the mother's giving the laudanum, which she did through ignorance and want of thought, and not, as they were at first led to suppose, through malice or evil design.
69	Negro child, Mary Ann Simms ..... Fees ..... 17 81¼ Jurors 7 50		23 Was found dead this morning by its parents, who sent for the coroner to hold an inquest, and also that said infant was well as usual last night when it was put to bed, which was about 8 o'clock. At 2 a. m. it nursed very freely, and was found dead this morning about 6 o'clock, with its head resting on its mother's arms; and the jury believe, from the evidence of Doctor Alfred Lee, that the said child came to death from the effect of spasms, superinduced by congestion of the lungs.
70	William Dippel..... Fees..... 17 31¼ Jurors 10 00		23 Was a man of very loose and dissipated habits; that during the night of the 22d he was taken with spasms, and died some time bet. 9 o'clock p. m. and daybreak this morning, no one being with him when he died; that the coroner, at the urgent solicitation of the family of the deceased, held this inquest; and, from the evidence adduced upon this inquest, the jury believe his death was caused by intemperance.
69			
71	Newly-born bright mulatto male child..... Fees..... 16 63¾	April	1 Was found on H street north, between 7th and 8th streets, last night, about 10 o'clock, wrapped in a piece of old carpet, and from the appearance of said child, the jury believe that it was born alive, and placed there by some person unknown to them, there being no marks of violence on it. The jury are unable to say how the said child came to its death.
72	John Millady.....		2 Was yesterday very much intoxicated; that there was some quarrelling or fighting in the house during the afternoon, but that the deceased bore no marks of violence except some slight bruises about the forehead, not sufficient, in the opinion of the jury, to produce death; and, from the evidence, the jury believe that the deceased came to his death from habitual intemperance.
73	James Dunger..... Fees..... 17 31¼		2 Was about 60 years of age; was a native of Baltimore, and had served in the naval service of the U. S.; that he was in the habit of sleeping near the pit of said kiln during the nights of the winter just passed; that on the night of the 1st instant he was seen sitting near said pit, as if preparing to lie down; that when next seen, about 7 o'c. on the morning of the 2d April, he was lying down, and dead. The jury believe his death was not caused by any violence, but was the result of his inhaling the gas from the said burning kiln while sleeping.
70			
74	Young white child ..... Fees..... 15 86¼	1854, April	29 Had every appearance of being a month old, and was placed in a rough box, well wrapped in a corded shirt, and, from all the circumstances, the jury believe the said child was maliciously destroyed by some person to the jury unknown.

179

75	Daniel McNamara..... Fees..... 19 33¼	May	4	Was engaged with others on the Falls bridge; that owing to some accident the bridge, which was in the course of erection, fell from its position on Monday, the 24 of April last, and the deceased was precipitated from the bridge into the water, a distance of about seventy-five feet; that he was found floating in the Potomac on the afternoon of Thursday, May 4th, his head being in a very bruised condition, and his body much swollen, his pockets being turned and torn; and the jury believe, from the evidence, that the deceased came to his death by reason of said accident.
76	Neg. Tyler Simmes..... Fees..... 19 33¼		7	Was as well as usual on the night of his death, and was transacting his usual business; that he was living with a white woman at the time; that he was heard to fall by some of his neighbors early in the morning, and the white woman to say, "I believe Tyler is dead," and the white woman immediately disappearing from the neighborhood, gave rise to strong suspicion that some foul play had taken place, in consequence of which a post mortem examination was had by Dr. Bogan, and from whose testimony the jury believe that the said Tyler Semmes came to his death by a rupture of the spleen.
71				
77	Negro, supposed to be Harm Russell..... Fees..... 16 63½		11	Was found this morning at H. N. & J. W. Easby ship-yard wharf, on the edge of the Potomac river, about 6 o'clock a. m., and as neg. Harm Russell, who was fishing with W. Vansceiver, was missed some time in March last, he is supposed to be the man, but how he was drowned, the jury, having no evidence, cannot determine.
78	Newly-born white child..... Fees..... 16 63½		12	Came to its death by strangulation by the hands of a person or persons unknown; that a cord was drawn around its body and neck, and that it was wrapped in a white napkin. We are unable to determine whether it is a male or female, in consequence of decomposition.
79	Neg. Reubin Loy..... Fees..... 19 33¼		14	Was attacked and beaten by some person unknown on his way home from the fishing-landing to Washington city eight or ten days prior to his death, shortly after which he complained of a pain in his side and heart; that on the evening previous to his death he was at work with the other hands, but on Saturday, the 13 inst., he did not work, and about 3 o'clock on that day was found dead in the shanty at the landing fished by C. France, on the Maryland shore. * * * When, after hearing all the testimony, the jury do say that they are unable to determine whether the deceased came to his death by blows received or from other causes unknown, no post mortem examination having been made.
72				
80	James R. Fugett..... Fees..... 17 98¼		19	Was seen in a small skiff in the canal on Tuesday morning, 16th inst., and at a subsequent hour of the same day the skiff was found empty. The body of deceased was recovered this morning near the Washington arsenal, and the jury believe, from the evidence, that he accidentally fell out of said skiff and was drowned.

81	Sally Church		25	Was a woman of very loose and dissipated habits; that she was yesterday engaged in customary duties, and up to a late hour last night she was apparently in usual health; that she was found in bed about half past eleven o'clock p. m. dead; and the jury believe, from the evidence, that her death was caused by intemperance.
	Fees.....	17 98½		
	Two wit.....	2 50		
73				
82	Neg. Augustus Duchett.....		26	Had been for the last six months in a delicate state of health, subject at times to attacks of insanity; that he was during the day, yesterday, delirious; that he retired to bed in this state last night, and was not again seen until this morning, when he was found sitting against the fence in his yard dead; and the jury, from the evidence, believe that he came to his death from injuries received from falling out of the window in his bedroom.
	Fees	16 63½		
83	Neg. Harvy Beverly		30	Was employed as a hand on board of the steamer Baltimore, and on Sunday morning, the 28th day of May, 1854, at which time said steamer was lying at the steamboat wharf at the foot of 10th street west; about half past 10 o'clock of that morning said Harvey voluntarily undressed and went into the wheel-house for the purpose of bathing, and while there unloosed his hold on the wheel, and before assistance could be rendered was drowned in the Potomac river; that the deceased was found on the 30th inst. near the same wharf; and the jury believe, from the evidence, that said Harvy came to his death by accidental drowning.
	Fees	17 98½		
84	Neg. Ann Maria Burns.....	June	1	According to the given before the jury, deceased was a woman of intemperate habits; and yesterday, about 7 p. m., while under the influence of liquor, procured and took some three or four drachms of laudanum, which caused her death in the course of a few hours.
	Fees	18 06½		
74				
85	Neg. James Leatherbury		2	Was a man of intemperate habits; that he had been drinking to excess for several days prior to his death; and on the evening of the first day of June, 1854, he was going about as usual, and retired to bed at the usual hour, and was found dead in his room on the morning of the 2d June, 1854, about half after three o'clock; and the ——— from the evidence, that said Leatherbury came to his death by excessive intemperance; the physician who had attended him some time previous to his death refused to give a certificate for his burial; hence the necessity for a coroner's inquest.
	Fees	17 31½		
86	Thomas Ferry.....		4	The clothes of the deceased being found on the banks of the creek, led to the supposition of some one having been drowned; that three men procured a boat this morning, and found the body of the deceased in the creek; and the jury, from the evidence, *beleive* that he went into the water for the purpose of bathing, and was accidentally drowned.
	Fees	17 98½		
87	Richard W. Streets		4	This morning he was seen by his father going in the direction of the canal, and was by him ordered to go home; that he was not again seen until he was found floating in the canal, about 9 o'clock a. m.; and the jury believe that he having gone down to the canal for the purpose of playing in some boats, there fell from said boats and was accidentally drowned.
	Fees	17 32½		
75	1 wit. p.	1 25		

88	William Henry McKivett..... Fees..... $18 66¼	1854, June 7	It having been stated that deceased had been so seriously beaten as to cause death, the coroner was sent for to hold an inquest over the body; but after a careful investigation, the jury find that he had been engaged in a tussle with another person, and received a slight injury, which it is probable induced erysipelas; and in consequence of neglect, intemperance and destitution, death ensued this morning about 6 o'clock.
89	Newly-born white female infant..... Fees 16 63¾	10	Was found in the box of a privy attached to the premises of Mr. E. Foulks, corner of 11th and C street (west side of 11th) on the night of the 9th inst., by the scavenger of 7th ward; said infant being weighted down by several large stones, and from its appearance had been dead for several days; and the jury believe, from the evidence, that said infant came to its death by violence from the hands of some person to the jury unknown.
90	R. F. Philips..... Fees 17 89¾	20	While bathing in the Potomac river, on the 19th day of June inst., being taking with the cramp, he drowned near the Washington National Monument.
76			
91	White male infant named John Andrew Francis Fees .... 17 31¼ 2 wits. p'd..... 2 50	22	Was illegitimate, and up to two months old was left in charge of one Mary Ann Kirk, from which time it had been more or less afflicted with an eruption on or about the neck until a short time before its death; that a few days prior to its death it had a loosness of the bowels, and on the 21st day of June, 1854, it was apparently as well as usual until about one o'clock of that day, when it threw its head back and expired in a few minutes; and the jury *beleive*, from the testimony of a physician and others, that said child came to its death by a disease known as cholera infantum. No physician having attended said child for several weeks previous to its death, a certificate could not be obtained without a coroner's inquest.
92	Neg. William James ..... Fees 17 32¼	24	Was to-day apparently in good health; that he was seen at or about 4 o'clock p. m. of this day at the store of Mr. Noland, where he purchased some articles; that at that time, or no subsequent time, did he exhibit any symptoms of sickness; that he came home and lay down, and was supposed to be asleep; that on an attempt being made to awake him, he was found to be dead. It had been intimated that his death was caused by poison; but after a careful investigation, the jury *beleive*, from the evidence, that such is not the case, but that he came to his death from some cause or causes to the jury unknown.
77			
93	White male child, son of a lewd woman... Fees 16 63¾	24	Was ten days old; that it was as well as usual the day previous to its death; that during the night of 23d June, 1854, it appeared to be a little unwell; that about 10 or 11

			o'clock in the morning of the 24th it died apparently in a spasm; and the jury *beleive*, from the evidence, that the said infant came to its death by the visitation of God; that the mother being a single woman, and having no physician, she was unable to procure the interment of the child without the coroner's certificate.
94	Female infant of neg. Ann and Nicholas Warner. Fees 17 31½	29	Was apparently well from its birth until the morning of 29th June, 1854; and on that day, just before light, the mother nursed it; and that she arose between 4 and 5 o'clock, and in taking up said child, discovered it was dead; and the jury *beleive*, from the evidence, that said child came to its death by causes to the jury unknown. The sudden death of said child caused some suspicion of foul play, and hence the necessity for a jury of inquest to inquire into the facts in relation to its death.
95 78	Hanson Gassaway ..... Fees 16 63½	1854, July 5	Has been in a deranged state of mind for the last 10 years; that he appeared to be as well as usual yesterday morning; that he was found dead in his bed this morning apparently in a destitute condition; that he made some soup yesterday morning of *gypson* weed, mistaking it for *polk* salad; and the jury *beleive*, from the evidence, that the said Gassaway came to his death by poisoning himself by drinking said soup.
96	James Greer..... Fees..... 17 98½	5	Was found lying drunk on the sidewalk of Pennsylvania avenue, between 3d and 4th streets, about 3 o'clock in the afternoon of the 4th of July, 1854; that he was brought to the guard-house in a senseless condition, and put in one of the rooms appropriated for prisoners; that there was some persons with him in the guard-house all the time for the purpose of taking care of the prisoners; that every means was used, after he came to his senses, to make his condition as comfortable as the nature of his situation would admit of; that he had during the night and evening several fits of *manu potu;* that about 6 o'clock in the morning of the 5th July he died; and the jury *beleive* that the said James Greer came to his death from the effects of drunkenness and exposure to the sun.
97 79	James Bean..... Fees 17 98½	7	Was a seaman on board of the barque Lelah, of Boston, lying at the wharf of John A. Grimes, and whilst engaged performing some duty on the small boat belonging to said barque, fell out and was drowned; and the jury *beleive*, from the evidence, that he came to his death by accidentally drowning; further, that he was a poor man and without means at the time of his death.
98	William Chappel..... Fees..... 18 03½	11	Was driving his wagon on the river road, on his way from market, with two girls with him, and while he had turned round in his wagon, the horse walked off the road, being blind, and fell in the canal, taking the wagon and deceased with it, and that the wagon fell on deceased while in the canal; and from the evidence the jury *beleive* that the dec'd came to his death by being accidentally drowned.
99	White female child ..... Fees..... 17 31½	17	Died from neglect of its mether, who is a woman of lewd and dissipated habits; her mother is called Betty Ashmead, alias Betty Hatton; the above is according to the evidence before us.

100	Peter Laheman Fees $18 68¾	1854, June 13	Left his residence, near the Washington brewery, in company with John McGarvey, on the night of 12th July inst. They went to the shoe store of Thomas Hunter, near the Geo'town market, when the deceased purchased a pair of shoes; on their return they stopped at the tavern of Mrs. Moran, on Water street, where dec'd, in company with others, took 2 drinks of liquor. The dec'd left Mrs. Moran about 10 o'c'k p. m., and was not seen again until this morning, when his remains were found floating in Rock creek, at the site of K. A. Bridge. Upon examination of the body, it was evident he had been shot and murdered, as there were 15 shot wounds on his forehead, and the orbit of the left eye was pierced by a shot or ball. Every effort having been made by the coroner and jury to discover the person or persons who perpetrated the deed, find that Peter Laheman was maliciously murdered by some person or persons unknown to the jury. And the jury further find that the dec'd was poor and destitute of means sufficient to defray the expenses of his burial.
80			
101	William E. Murphy Fees 16 63¾	1854, July 18	Was engaged in fishing on the banks of the canal with his brother, a small boy, aged about 10 years, when, from some cause to the jury unknown, he fell into the water, and before assistance could be obtained drowned; and the jury *beleive*, from the evidence, that said William E. Murphy came to his death by accidental drowning.
102	A white woman Fees 17 98¾	19	Had been for some time laboring under great distress of mind, and had on one or two occasions expressed a desire not to live, and intimated that she would commit suicide; and on this morning of the 19th day of July, 1854, she left her place of residence between 3 and 4 o'clock, and was found, between 9 and 10 o'clock of the same day, drowned in the Washington city canal, between 7 and 8 streets; and the jury believe, from the evidence, that dec'd came to her death by throwing herself in said canal.
103	Neg. Rachel Williams Fees 17 98¾	21	Was seen by Dr. Grimes on Tuesday last, the 18th of July, when she was found to be in a dying condition; that she lingered until last night about 9 o'clock, when she died. There was strong reason for supposing that her death was caused by cruel treatment, it having been reported that two of her ribs were broken, and that she bore other marks of violence about her person; but after careful investigation, the jury are led to believe that such is not the case, but that she came to her death from natural causes.
81			
104	Frederick Hitt Fees 18 66¼	22	Was last seen between the hours of 12 and 2 of Thursday, the 20th of July inst., when he left his boarding-house, and was not afterwards seen until about 3 p. m. of the 22d, when he was found floating in the water; and they verily *beleive*, from the evidence, that, laboring under mental *aberation*, he got into the water, and was accidentally drowned.

105	Owen Gallaghan Fees 17 31¼		22	Came into the city of Washington this morning about 10 o'clock; met a friend, who accompanied him to the Smithsonian grounds. He complained of headache and sick stomach; was waited on by his companion, and died about 5 o'clock, after waiting for two hours for a physician, and not being able to procure one. The jury are unable to say what was the cause of his death.
106	Rose Richerson Fees 17 98¾		23	Was a woman of intemperate habits; that on this day, between the hours of one and two o'clock p. m., she died; and the jury *beleive*, from the evidence, that her death was caused by apoplexy, superinduced by intemperance and exposure to the sun.
82				
107	George Bell Fees 16 63¾		27	It appears, upon evidence before the jury, that dec'd was standing on the side of a long-boat lying at the Navy Yard bridge, receiving *provisions*, &c., from the captain of said boat, and while performing that duty suddenly fell into the river and was drowned, which we *beleive* to have been accidental. Deceased was drowned on the evening of the 26th inst., and his body was not recovered until the morning of the 27th.
108	Unknown negro man Fees ..... 17 98¾ Three jurors p'd 3 75		29	Was found on the evening of the 28th of July inst., about half past seven o'clock, in a field attached to the Military Asylum, lying dead; that he bore about his person no marks except upon his neck, which had the appearance of having lately had a blister-plaster applied to it; there was also a mutton tallow plaster on his breast. The jury, after careful and continued examination, are unable to find any one who can identify the deceased. In his hat was found the name of E. W. Leymoure, but the jury infer that is not his, but the name of some other person. They *beleive*, from the testimony of a *physicians* and others, that deceased came to his death from exposure to the sun.
109	William Irving White Fees 18 66¾		29	Came to his boarding-house about 12 m. on the 28th instant, and was soon found to be under the influence of some narcotic; that the physicians were called in, who, upon examination, found he had taken morphine, from the effects of which he lingered from that time till about eight o'clock p. m. of the same day, when he died. The jury are unable, from the evidence, to say whether the deceased took said morphine for the purpose of destroying his own life or not.
83				
110	James Ganner Fees 19 33¾		30	Was seen about the wharf on the afternoon of the 29th inst. in a debilitated condition, and was heard to groan during the night by some boatmen on the canal, and was found dead in the morning; and the jury *beleive*, from the evidence, that the deceased came to his death from exposure and debility.
111	Colored man, name unknown Fees 17 31¼	Aug't	1	Was found floating in the river Potomac, nearly opposite Van Riswick's wharf, at the foot of 6th street, on the first day of August, 1854, about 12 o'clock. From appearances, had been dead about twenty-four hours; and the jury are unable to say, from the evidence, whether the deceased came to his death by accidental drowning or otherwise.

112	Nora Daley Fees $17 31¼	Aug't 2	Was this morning in good health; that she went out this morning, and that when she returned she was supposed to be under the influence of liquor; that about 1½ p. m. of this day, whilst engaged in ironing, she complained of being unwell, and that she continued in this state until about 3½ p. m., when she died; and the jury *beleive*, from the evidence, that said deceased came to her death from the excessive heat of the weather, combined with the free use of liquor; that she was kindly cared for by her employes, who extended towards her all the assistance in their power.
84			
113	Neg. Philip Sumly Fees 15 96	7	Had been complaining for some time of a misery in the back of his neck and head, and on this day, Monday, the 1st day of August, 1854, between 1 and 2 o'clock, and while the steamer Osceola was on her way from Alexandria to Washington, and when near the mouth of the Eastern Branch, and while said deceased was engaged in the discharge of his duties as wheelman on board said boat, he suddenly fell and expired in about ten minutes; and the jury *beleive*, from the evidence, that the deceased came to his death by apoplexy.
114	White man, who said his name was Andrews. Fees 17 31¼	19	Shipped on board the vessel called the Elect, of Philadelphia, on Saturday, the 6th of August, 1854, at Philadelphia, under the name of Andrew; that on Wednesday, the 16th, he went ashore at this place in company with another of the crew, with whom he returned aboard again at night; that during the course of the night those on board hearing a splash in the water, made search, but did not suppose any one was missing until next morning, when search was made for the deceased, but without effect; that the deceased was not again seen until yesterday, when he was found floating in the water; and the jury, from the evidence, *beleive* that deceased fell overboard during the night of the 16th, and was accidentally drowned. The deceased had due him for services $4 43 from the captain of the boat at the time of his death.
85			
115	James Curry Fees 17 98¾	1854, Aug. 20	From the evidence before them the jury *beleive* that while dec'd was under the influence of liquor he was stepping from one vessel to another; he made a misstep, and fell between the two vessels and was accidentally drowned.
116	Newly-born white male infant Fees 16 63¾	21	Was found about 12 o'clock to-day, partially buried, near the corner of 1st and Boundary streets, and, from appearances, seemed to be newly born, and but a short time buried; and the jury are unable to say whether the said infant was born alive, or how, if alive, it came to its death.
117	John T. Crandell Fees 17 31¼	23	Left his parents' residence this morning, in company with Julius Visser, on a gunning excursion in the neighborhood of Mason's island, and whilst attempting to raise his gun from under the seat of the boat it accidentally exploded, lodging the contents in his right heart, just below the nipple, thereby causing his death in about five minutes; and the jury *beleive*, from the evidence, that his death was purely accidental.

118	Newly-born female child, supposed to be colored. Fees 16 63¾		28	Was found by a colored boy, on the morning of the 28th of August, 1854, partially covered in the dirt, in a decayed condition, having, no doubt, been placed there some time, and from other appearance having been placed there soon after it was born; and the jury are unable to say from what cause the said infant came to its death.
86				
119	George Baldwin ..... Fees 17 98¾	Sept.	1	Who was a vagrant; was found about —— o'clock p. m. on the night of the 31st Aug., 1854, by Johnson *Lanards*, lying on the pavement around the Capitol in a drunken condition and in a dying state. A physician was called, and every effort was used to restore him, but without effect. He was then conveyed to the watch-house, when he died about 10 o'clock p. m.; and the jury *beleive*, from the evidence, that the deceased came to his death by dissipation and exposure.
120	Patrick Lee ..... Fees ..... 17 32½ One wit's p'd 1 25		5	Went to bed last night in good health; that about 2 or 3 o'clock he complained of a pain in his side; that he has been seen under the influence of liquor, but that the jury are not able to say what was the cause of his death, which took place this morning about 5½ o'clock, but *beleive*, from the evidence, that he came to his death from some cause or causes to them unknown.
121	Newly-born white male infant ..... Fees 16 63¾		6	Was found at the corner of 7th street E. and B st. *and B street* south, having been deposited there, with the *afterberth*, some time early on the morning of the 6th inst.; and the jury *beleive*, from the evidence and attending circumstances, that the said child came to its death at the hands of some person or persons to the jury unknown.
122 87	Nicolas Keenan ..... Fees 17 98¾		6	Was at the Steamboat Hotel this morning; that he has been on a drunken spree for the last three weeks; that he has been generally of intemperate habits, and was heard to complain this morning of a pain of the head, and died suddenly about 6 o'clock p. m.; and that they *beleive*, from the evidence, he came to his death from habits of intemperance. His situation was very poor, without any property.
123	Neg. Caroline Bell ..... Fees 17 31½		6	Was found about 10 o'clock a. m. of 6th of Sept., 1854, lying in the road near the Georgetown almshouse gate in a dying condition, and died whilst in the act of being removed from the road to said almshouse; and from the evidence the jury *beleive* that the deceased, who was a very dissipated woman, came to her death from intemperance and exposure.
124	Patrick McVaigle ..... Fees 17 31½		6	Was seen this morning in a state of intoxication; that he was seen to be down near the brewery; and the jury *beleive*, from the evidence, that the deceased came to his death from dissipation and exposure to the sun.

125	William J. Langfit..... Fees.....$19 36¼	Sept.	7	Was arrested on the 5th day of September by two officers, Hoddert and Mitchell, on a warrant issued by Justice Craven Ashford, for an assault and battery with intent to kill one John Kelly; that he made violent efforts to injure and resist the aforesaid officers while endeavoring to execute said writ, using for that purpose a large and sharp iron weapon; that he struck the officers with said weapon, and that he was struck by them on the head with a brick or stone, in self-defence, and suspicion was entertained that
88				his death was caused by said blow or blows; that after a careful investigation, and having the testimony of the examining physicians, who performed a post mortem examination, an abscess was found to be formed on the brain, from some cause by them unknown, but they are of opinion that it was not caused by the blows received from the aforesaid officers; the jury therefore *beleive* the deceased came to his death from some cause or causes to them unknown.
126	Mary Hughey..... Fees..... 18 01¼		7	Had been in a drunken condition for two or three weeks, much exposed to the hot sun, and laying of night in a cow-stable; that she was taken very ill about four o'clock on the afternoon of the 7th instant, and died on the sidewalk in about half an hour; and the jury *beleive*, from the evidence, that the said Mary Hughey came to her death from the effects of intemperance and exposure.
127	Bright mulatto male infant..... Fees..... 17 21¼		28	Was in good health on the night of the 27th inst. when put to bed; that the mother awoke during the night and found it well, and about 5 o'clock on the morning of the 28th he was found dead; and the jury *beleive*, from the evidence, that the deceased was accidentally smothered during the night, he being found lying on his face in the morning.
89				
128	Nathaniel Lullivan..... Fees..... 16 63¾	October	5	On the 4th day of October, 1854, the deceased was employed as a hand on board a long-boat, and while the other hands were engaged in hoisting the sails it is supposed the deceased was struck by the main boom of the boat and knocked overboard and drowned in the Potomac river; and the deceased was very poor.
129	Neg. Martha Cole..... Fees..... 16 63¾		5	Was a woman of very intemperate habits, and was much intoxicated; that yesterday she complained of a pain in her stomach, and died last evening, and the jury believe she died from excessive intemperance. She was a free negress, and very poor.
130	Neg. Richard Bowie..... Fees..... 17 98¾	1854, October	6	Was apparently at 9 o'clock a. m. On the 5th he was found, about 5 o'clock p. m., lying on the floor, apparently in a violent cramp. There appeared to be some suspicion of foul play, but not having had a post mortem examination, the jury are unable to determine what caused his death. The deceased was a poor man, and left no means.

131	Newly-born female mulatto child..... Fees..... 15 96¼	13	Was found on the morning of this day, (13th,) between the hours of 8 and 9 o'clock a. m., having been placed in the above-named spot some time during the night of the 12th inst.; and the jury *beleive* that said child came to its death by violence at the hands of some person or persons to the jury unknown.
132	Newly-born white male child..... Fees..... 15 63¾	20	Was found lying in the vestibule of the passage of J. M. Carlisle, esq., on the night of the 19th of October, 1854, between 9 and 10 o'clock, wrapped in some white cotton, and from appearance having been newly born, and born alive; and the jury *beleive*, from the evidence, that said male infant was born alive, and that it came to its death by some foul means by the hands of some person or persons unknown to the jury, and placed where it was found for the purpose of concealment.
90			
133	James Cuthbert..... Fees..... 17 98¾	21	Was in conversation with a witness present, about 5 o'clock, yesterday afternoon, and said witness thinks the deceased seemed somewhat vacant in his mind; after which the deceased went into his room and locked the door, and about 9 o'clock, in attempting to enter said room, it was found he had locked the door, when an effort was made to open it by turning the key by the use of a fork, when it was discovered he had cut his throat with a razor which lay near him bloody on the floor; and the jury *beleive* he cut his throat with said razor, which caused his death this day about 2 o'clock.
134	Neg. John Dement..... Fees..... 17 31¼	23	Was committed to jail on the 19th day of September, 1854, by Justice Samuel Grubb, charged with larceny; that he was laboring under chronic *diarrœha* at the time of his commitment, and, as far as could be ascertained, had been afflicted with that disease for some years; that he received constant medical attendance during the time of his confinement, and all the comforts that the nature of his confinement would admit of; that he was constantly failing all the time of his imprisonment, and died about 4 o'clock p. m. on the 22d of October, 1854; and the jury *beleive*, from the evidence, that the said John Dement, came to his death from the effects of chronic *diarhea*.
91			
135	Neg. Amelia Parker..... Fees..... 17 31¼	25	Had been living at the house where she died about two week, keeping house with her son; that she appeared as well as usual on the morning of her death, and went to the pump for a bucket of water, and while pumping the water, she fell senseless, and in a few minutes expired; and the jury *beleive*, from the evidence, that the said Amelia Parker came to her death from an affection of the heart on the morning of the 25th of October, 1854, about eight o'clock.
136	Neg. John Watson..... Fees..... 17 31¼	November 1	A slave of T. T. Sasscear; was in from the country with a man, also a slave, driving a six-ox team, loaded with corn; that he fell or jumped off the cart, and fell under the wheels, which passed over him, instantly killing him; and the jury *beleive*, from the evidence, that the deceased came to his death by accidentally falling from the cart, and being run over.

W 1.—*Extracts from the original inquisitions*—Continued.

137	Newly-born female colored child..... Fees..... $17 96 1 juror p'd..... 1 25	2 Was found, on the evening of the 1st of November, under and partly concealed by the seat of the privy attached to said house on M street; that said child had evidently been there for some days; and the jury *beleive* that said child came to its death at the hands of some person or persons to them unknown.
92		
138	Newly-born mulatto male child..... Fees..... 15 95¾	6 From the evidence, the jury *beleive* that said infant was found down a sewer, on West street, by a boy, who was looking in said sewer for a top, and they *beleive* it is a male mulatto child, and that it was maliciously thrown there by some person or persons to the jury unknown for the purpose of concealment.
139	Mulatto male child..... Fees..... 16 63¾	9 Was put to bed last night at about 9 o'clock in perfect health; this morning its mother waking at 5 o'clock and found it dead. Upon some strong suspicion that its mother had given it something causing death, she being a free woman, and having no husband, the coroner was sent for. The jury *beleive*, from the evidence, that death was caused by some cause unknown to them.
140	Charles W. Stewart..... Fees..... 20 01½	12 Was to-day, about 2 o'clock p. m., apparently in his usual health, at the store of Dr. Gardner, where he purchased a vial of laudanum for the purpose, as he said, of making a liniment for his child, and that suspicion being aroused about 6 o'clock this evening, search was made for him. The two doors of the Speaker's room in the Capitol were found closed, the *hansom* lights was taken out from over the door by the police of the Capitol, and he was found lying on the sofa dead and cold. Two vials of laudanum, one of which had been, as above, purchased of Doct. Gardner, and one other of large size labelled Schwartz & Son, and a box of ratsbane being found in his pocket unopened and even unwrapped. No smell of laudanum being perceived, and his appearance *indicating* death by *strichnine*, search was made in the room, when 15 fragments of paper were found in a spittoon, which, when put together, showed the words "*strichnine*, poison" written thereon, with the druggist name; and the jurors *beleive*, from the evidence, that the said Charles W. Stewart deliberately committed suicide by taking *strichnine* this afternoon about three o'clock.
93		
141	Neg. John Brown..... Fees..... 17 31¼	17 From the evidence, the jury *beleive*, on the evening of the 16th of Nov'r, 1854, he was in his usual health; that he worked at shoemaking until 10 or 11 o'cl'k at night, and about 9 o'clock this morning, the 17th Nov., 1854, when called to get up, he answered that he would be down directly; and not coming down for an hour after being called, Guda Harris, negress, the person with whom he boarded———up to his room about 10 o'cl'k a. m., and found him dead; and the jury say that the deceased came to his death from some cause unknown to them.

142	Charles Fattersline..... Fees..... 18 31¼	17	Was a very dissipated man, who had left his wife for the last three years, and without any stated place of residence; that he was in the habit of staying at night near Hugh Dowling's limekiln; that on the night of the 16th of November, 1854, he was found dead about ½ past 11 o'clock p. m., just on the edge of the burning kiln, his right hand partly burnt off, and the left much burnt. Jury had no doubt that he came to his death by suffocation from the gas from the kiln; that he had in his pocket a silver three-cent piece, a knife, and an old comb, and that he had no visible means left of defraying the expenses of his burial.
94			
143	Neg. Rachel Brown..... Fees..... 17 98¾	1854, Nov'r 18	Went on last evening on Bridge street, to Mrs. Susan Claxton, for the purpose of getting a bonnet, and, on returning, she suddenly fell in front of Doct'r Isaac Lauck's residence, and opposite the mayor's office, and expired in a few minutes, between 7 and 8 o'clock p. m., of the 17th Nov., 1854, from the evidence of the physician; and the jury *beleive* she died from a disease of the heart.
144	James Moore..... Fees..... 17 63¾	21	Was in a small skiff in the Potomac river, shooting ducks; that by some means the skiff upset, and he attempted to swim to shore, but becoming entangled with his greatcoat and grass, he sunk and was drowned.
145	Neg. Bill, alias John Thomas..... Fees..... 17 31¼	23	Was committed to jail on the 14th day of September, 1854, charged with theft at the time of his commitment; he was *a* laboring under the venereal disease; that he continued to grow worse during his confinement, although every means was resorted to for his recovery until he died, on the night of the 22d of November, 1854; and the jury *beleive*, from the evidence, that the Bill, alias John Thomas, came to his death from the effects of the disease aforesaid.
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146	Neg. Richard Baiye..... Fees..... 16 63¾	30	Was committed to the county jail on the 21st of March, 1854, charged with larceny; was tried, convicted, and sentenced on the 7th April, 1854, to one year's imprisonment in the county jail; that he had the rheumatism when first committed, and gradually grew worse until the 29th of November, 1854, when he expired about 3 o'clock p. m.; and the jury *beleive*, from the evidence, that the said Richard Baiye came to his death from the effects of chronic rheumatism by translation to the heart.
147	John Jacob..... Fees..... 17 31¼	December 6	Was committed to the jail of Washington county, on the 26th November, 1852, by Justice Morsell, as a dangerous person to go at large; that he has been diseased for the last 18 months; that he seemed at times to be deranged, and died last night about 12 o'clock; and the jury *beleive*, from the evidence of Doctor Simmes, that the said Jacobs died from the effects of scroffula.
¶48	Neg. Johanna Proctor..... Fees..... 15 96¼	6	Was a woman of very dissipated habits; that she was seen alive about 8 o'clock last night, apparently laboring under the effects of manu potu; that she was found this morning about 7 o'clock in her house lying on the floor frozen and almost naked; she being very poor and destitute; and the jury *beleive*, from the evidence, that the said Johanna Proctor came to her death from the effects of manu potu and exposure to the cold.

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•149	James Johnston ..... Fees $16 63¾	7	After a full hearing of the evidence, find that James Johnston, the deceased, was a carpenter employed in the Washington navy yard; that about noon, this day, he left the yard, and stopping at a shop corner of 5th and G streets, purchased fruit and liquor. He stated that, overcome by heat, he was compelled to leave work about 11 o'clock, and complained of being greatly depressed by the heat of the weather. He was soon after found on a lot near the public school-house in a state of insensibility, and soon thereafter died. The verdict of the jury is, that the said James Johnston came to his death from intemperance and exposure.
150	Neg. Alfred Mathews..... Fees..... 17 31¼	7	Was on board the schooner Brilliant, of Baltimore, which was lying in the Eastern branch of the Potomac river, off Buzzard Point, the said vessel having on board chain-cable iron for the U. S. navy; and being aground, and a flock of ducks having settled near, Wm. H. George, the captain of said schooner, desired one of the hands to bring a gun that the captain might shoot the ducks; the deceased started for the gun which was in the captain's berth; and the jury *beleive* that in taking the gun from said berth, that the hammer became entangled, which caused the gun to be discharged, the load entering the right breast, thereby causing the instant death of the deceased.
97			
151	David Reese ..... Fees..... 17 98¼	8	Came to the city of Washington on the 7th Dec'r inst., driving a two-horse wagon loaded with wood, and after unloading the same, and late in the evening of the same day, his horses took fright, threw him against the fence or tree and broke his hip-bone, and doing him other internal injury; that he was taking to the house of George Springman, on Maryland avenue, where he died on the 8th day of December, 1854, about 12 o'clock; and the jury *beleive*, from the evidence, that the deceased came to his death by the causes aforesaid, and that he was a man of intemperate habits, and without any means of support.
152	Neg. Armstead Martin..... Fees..... 16 63¾	13	Was found yesterday morning in the woods belonging to James Anderson, adjoining Mrs. C. Sanders, and near the road leading to Mrs. Nora Diggs, dead, lying beside a log of wood frozen to death; and the jury *beleive* that the said negro boy, being diseased and intemperate, having run away from his master, and being exposed to the cold, froze to death.
153	Neg. Joseph Sewell. ..... Fees..... 16 63¾	14	Was well as usual on the evening of the 13th Dec., 1854; and after he had retired to bed about 10 o'clock at night, he was taken with a spell of coughing, and that on the morning of the 14th of Dec., 1854, about 7 o'clock, he was found setting up in bed dead; and the jury believe, from the evidence, that he died from hemorhage with coughing.
98			

154	William Conner ..... Fees..... 17 31¼		25	Was released from the county jail on Thursday last, where he had been confined on a charge of larceny; that he was seen last night, about 10 o'clock, walking the street intoxicated; that he was a man of intemperate habits; that he was found dead this morning about 7 o'clock in the privy; and the jury *beleive*, from the evidence, that the said Connor's death was caused by intemperance and exposure.
155	Neg. Rachel Curtis..... Fees..... 16 63¾		29	Was committed to the county jail on the sixth day of December, 1854, by Justice H. Reaver, on the oath of Patrick Duffy, charged with being an insane and dangerous person; that she was in a dying condition and unable to help herself at the time of her commitement; and the jury *beleive*, from the evidence, that she had been diseased and sickly some time prior to her death; and when brought to the county jail was in a dying state, and notwithstanding every comfort and attention was giving her while in jail, she died some —— before day, on the morning of the 29th inst., but the jury are unable to say what caused her death.
99		1855		
156	Neg. Ellen Anderson..... Fees..... 17 98¾	Jan.	13	Yesterday evening, about 6 o'clock p. m., was as well as the witnesses ever saw her while at work at Mrs. Miller's, on Penn. avenue, where she worked as cook. That she came home to her mother's about 9 o'clock p. m., went out, and returned in half an hour; was taken with vomiting, and threw up blood and phlem, and died this morning about 3 o'clock a. m.; and the jury cannot say whether she died from taking poison, or disease of the heart, there —— no post mortem examination.
157	Neg. George Goings ..... Fees..... 20 01¼		13 15	Being discovered in the commission of burglary, in the store of Evan Lyons, esq., about 12½ o'clock, on the morning of the 13th of January, 1855, by Jesse Ketchens and Grafton Harper, officers of the corporation of Georgetown, in the discharge of their duty as night-watch; and while said Harper had gone for assistance, the said Goings came out of the store, and after calling for his comrade, as he approached Kitchins attempted to make his escape, and was ordered by said Kitchen to stand or he would shoot, and on his refusal to do which, said Kitchens shot at him, and, according to the post mortem examination of a physician, the ball passed through the bones of the neck, breaking them and thus causing instantaneous death; and from all the evidence and circumstances attending the case, the jury believe said Kitchen was in the faithful discharge of *of* his duty.
100				
158	Timothy Schannesy. ..... Fees 17 31¼		16	Went into Georgetown with a wagon to purchase food, and after returning, when nearly opposite to the house, the wheel of the wagon struck a stump, and nearly threw him off his seat; and in endeavoring to recover his seat, he placed his hand on the horse, and immediately the horse ran off, he fell, and the wheel of the wagon passed over his neck, which caused his death in about one hour.

W 1.—*Extracts from the original inquisitions*—Continued.

159	Gustavus Davis ..... Fees..... $18 68¾		21	Was last night at Robert Aire's, much intoxicated, between 24 and 25th street, on M. street, at a raffle, when there a number of men, mostly Irishmen; that he left there about 1 o'clock this morning; that he was found this morning about 11 o'clock at the place above described, with many bruises about his breast and head; the jury cannot determine whether he was murdered and placed there, or whether he fell or was thrown over the rocks and killed, there being no evidence.
101				
160	Newly-born white male infant..... Fees..... 20 68¾		29	Was found in an alley between 9th and Tenth street west, in the 7th ward, on the morning of the 29th Jan'y inst., deposited in a basket, and covered with cotton clothes; and there being no visible mark of violence upon said infant, the jury *beleive*, from the evidence of Dr. James E. Morgan, who examined it, that said infant came to its death by neglect and exposure to the cold.
161	Neg. Biddy Wise..... Fees 17 98¾		30	Had for some time past been very intemperate, and frequently exhibited symptoms of insanity; that he left his house on Sunday night, the 28th of Jan'y inst., since which time he was not seen until Tuesday, the 30th inst., about 12 o'clock, when he was discovered in a drain or gulley in I street south, between 4½ and 3d street, in the 7th ward; and the jury *beleive*, from the evidence, that deceased came to his death by exposure to the cold, and that deceased was a pauper.
162	Andrew Davidson..... Fees..... 17 31¼	February	5	Left his father's house on Sunday evening, the 4th inst., between 2 and 3 o'clock, and, in company with other boys, was playing or skating on the ice in the Potomac river, near Riley's wharf, when he broke through, and was drowned before he could be rescued; and the jury *beleive*, from the evidence, that deceased came to his death by accidental drowning.
102				
163	William B. Osborn..... Fees..... 23 38¾		9	Left home yesterday, between one and two o'clock p. m., in his cart, and went to Columbia mill, on Rock creek, to get meal and ship-stuff; that he left the mill between four and five o'clock p. m., and that he was found about dusk in his cart, at his own gate, dead, near the public road crossing Piney branch, having two severe cuts on the right side of his head; and the jury, after a careful examination, find that he was murdered on the road leading from said mill, near the farms of Mr. Selden and Mr. Hewling, by some person or persons to the jury unknown.
164	John Ash..... Fees..... 17 31¼		17	Left his boarding-house, on Jefferson street, in Georgetown, between 7 and 8 o'clock p. m., February 15, 1855, with two bottles, with the intention of buying some liquor, and that he brought two pints of liquor at a grog-shop kept by Rose Ann Stanton, near 8 o'clock on that evening, and started to go home; and he was not seen afterwards until Saturday, the 17th, when he was found in lock No. 4 drowned; and from all the evidence, the jury *beleive* he accidentally fell into the lock and was drowned.

165	Samuel S. Whiting		28	Late a clerk in the office of the 3d Aud'r of the Treasury; came to his death by the visitation of God; they further find that said Samuel J. Whiting had just entered the room of the pay clerk of his department for the purpose of receiving his month's salary, and he fell dead before receiving or signing a receipt for the same.
	Fees 19 16¼			
103				
166	Edward Lang	March	2	Was at the railroad depot for the purpose of taking away oysters on the 2d of March, 1855, and while standing between the cars for a necessary purpose, a third car was brought into the depot by a horse, and after detaching the horse, the car ran forward against the next car, which caught the deceased between that part of said car called the bumpers, which crushed him in a dreadful manner. He was immediately taken to the Washington Infirmary in an insensible state, and in a few minutes after he died; and the jury *beleive*, from the evidence, that said Edward came to his death by the crushing aforesaid, and that no blame seems to attach to any one connected with the railroad.
	Fees 17 31¼			
167	Newly-born white female child		9	Was, according to the evidence, found in a box on 7th street, Island, near the steps leading to the Smithsonian Institution, this morning, about 6 o'clock; and the jury are of opinion, from the appearance of the body, that the child was born alive, but came to its death from either violence or neglect from some person unknown to them.
	Fees 15 96¼			
104				
168	William Tucker		11	Was yesterday in his usual health, and eat heartily dinner and supper about 6 o'clock p. m.; and between 8 and 9 o'clock p. m. he, with others, went to Holmead's store, corner of 7th and Mary'd avenue, and bought some liquor; they all drank together; he went home, and left about 9 o'clock p. m. for his scow, at the Long Bridge, for the purpose of getting sand; but his boat being aground, he was eating a piece of bread, when he was suddenly taken with a spasm or fit, and died — 7 or 8 minutes. The jury *beleive* from some cause he was taken with said spasm or fit, which brought on congestion of the brain, which caused his death. He was a poor man, and had no property.
	Fees 17 98¼			
169	Neg. Chloe Jackson	1855, March	11	Was committed to the jail of the county of Washington, on the 4th of March, 1855, by Justice Goddard, as a dangerous person to go at large; and that he has been confined in said jail since that time, and shown every symptom of being a deranged person; that every attention was paid to her by the physician and guards at the jail; and the jury *beleive*, from the evidence, that the said Chloe came to her death from the effects of scurvey; that the said Cloey was a native of this city and a pauper.
	Fees 18 98¼			
105				
170	Mulatto boy child		12	Was in good health last night. The mother, it is supposed, nursed it some time during the night, and, falling asleep, overlaid it, as she had previously done more than once; and the jury believe it was not intentional, but accidental.
	Fees 16 63¼			

171	Mrs. Ellenor H. W. Black..... Fees.....$18 66¾	1855, March 12	Has been ill for several days, and on yesterday, the 11th inst., was visited by Dr. S. C. Busey, who administered medicine to her, and thought her much better, and at 1½ o'clock this morning, whilst laboring under a temporary aberration of mind, caused by fever, she left her father's (J. H. Wartes) residence, and having been diligently sought for, was found about 5 o'clock this morning in the kitchen of the residence of Mrs. Elizabeth Brent, on Delaware avenue, near B street north, in a dying state, with her throat cut; and the jury *beleive*, from all the evidence and circumstances, that she committed the act whilst laboring under the aberration of mind, and thereby caused her death.
172 106	Michael Cratly..... Fees..... 17 98¾	14	Had been drinking, and threatened to kill himself, and between the hours of 11 and 12 o'clock on the 14th day of March, 1855, he pulled off his shoes and stockings, and took down a double-barrel gun from the wall, when the woman who was in the room ran out of the house, and just as they got out of the door they heard the explosion of the gun, and on entering the room again they found him lying on the floor dead, the contents of one barrel of the gun having entered the left breast about two inches to the right of the left nipple; and the jury *beleive*, from the evidence, that the deceased committed the act while under the influence of liquor.
173	Bartholomew Brady..... Fees..... 16 68	16	Was engaged digging clay in the brick-yard of Mr. Wroe, on South Capitol street, and that about 8½ o'clock a. m. on the 16th March inst. the bank fell on him, covering him entirely, and before he could be rescued life was extinct; and the jury *beleive*, from the evidence, that dec'd came to his death by suffocation from the causes aforesaid, altogether accidental.
174 107	Mrs. Easter Hughes..... Fees..... 19 16½	18	Was a woman of intemperate habits, and was intoxicated on the evening of the 17th inst., and went to bed about 5 o'clock p. m.; that she refused to eat her supper, and on the morning of the 18th inst., between 5 and 6 o'clock a. m., it was discovered that she was strangely affected, and could not speak, and expired about 6 o'clock a. m., and before a physician could reach her, apparently without much suffering. There being some suspicions that violence might have been used, in consequence of there having been *occasional* some difference between herself and husband, the body was carefully examined by Doct. Stewart, and, from his testimony and that of others, no fact could be elicited to justify the belief that any violence had been used by any one; and the jury *beleive*, from the evidence, that the deceased came to her death by excessive intemperance.

175	Jacob Krantz ..... Fees..... 16 63¾		21	Was placed in jail in Sept., 1852, on a charge of murder, but was never tried on account of being deranged; that he has ever since that period been confined, and that he has for at least the last two years been suffering from scrofulous degeneration, and that every attention has been paid him, though for the last two or three months he has refused any medicine; and the jury believe, from the evidence, that his death was caused by scrofulous degeneration, and which was hastened in its termination by long confinement.
176	Neg. George Field ..... Fees..... 17 31¼		22	Although he would drink at times, was an industrious man, he being a shoemaker. He was in perfect health the night previous to his death, and eat a hearty supper. He was engaged in foxing a pair of boots last night at 11¼ o'clock, at which time his wife retired to bed. When she arose in the morning she found him lying upon the floor near his work-bench dead, and the jury *beleive* that he died from causes to them unknown.
108				
177	Daniel Valentine..... Fees..... 18 02¾		25	Was an aged, infirm, and partially lame man. Visited the city yesterday morning, and the jury *beleive* that while in the city he indulged in drinking intoxicating liquor. When he returned to the asylum he undertook to walk down an inclined plane formed of boards. Owing to the high wind, his weakness, lameness, and intoxication, he was blown or fell from said boards to the ground, a distance of some three feet. He was immediately taken into the house, and very soon life became extinct, but the precise manner by which said fall caused his death the jury are unable to determine.
178	Neg. Susan Johnson ..... Fees..... 16 61¼		31	Was in good health yesterday, but very much intoxicated, and was found in the back yard lying down; was taken into her house. She was seen afterwards, about 8 o'clock p. m., in John Roberts's grog shop. She was found this morning on her knees beside her bed dead, she and her husband being both very dissipated and poor. The jury *beleive* she died from excessive dissipation.
179	Patrick H. Maloney..... Fees..... 18 66¼	April	3	Was coachman to the English minister, Mr. Crampton; that he left the minister's on Sunday, the 11th day of March, about 6 o'clock p. m., very much intoxicated; that he was seen about 8 o'clock that night at Margaret Tenant's, who keeps a grog shop on 26th street, and was not seen until to-day, about 1½ o'clock p. m., when he was found in the Potomac river, at Simmes's wharf, foot of Washington street. The jury cannot say how he came into the river, whether he was thrown in or accidentally fell in. He was a poor, leaving a wife and two children.
109				
180	Neg. John Fitzhugh..... Fees..... 16 63¾		6	Was in his usual health; went to market and also to a store in the neighborhood for groc'ies for Mrs. Weaver; went into the wood-house for the purpose of making a fire in the dining-room, and about ¼ past —— o'clock he was found in the wood-house dead by his wife; and the jury *beleive*, from the evidence, that he died from the effects of a fit, having had fits previously.

181	James F. Clarke..... Fees.....$17 31¼	April 25	Was last seen alive on Saturday, the 21st inst., about 8 o'clock, on the Island, in this city, in a state of intoxication; that he was found floating in the canal this morning, about 9 o'clock; and the jury believe, from the evidence, that the said James F. Clarke came to his death by accidentally falling in the canal while intoxicated on said Saturday night.
182 110	Neg. Polly Jennings ..... Fees..... 16 63¾	1855, May 8	Was on the 5th day of September, 1854, committed to jail, charged with being deranged and a disorderly person; that ever since her confinement in jail she has been deranged, and died this morning at 6 o'clock from general debility, and that every attention was paid her by the physician and keepers in the jail; and the jury find that she was a pauper.
183	Newly-born white female infant..... Fees..... 17 31¼	4	Was found dead in the said alley about sunrise this morning, being perfectly naked, and having every appearance of having been born there; and the jury *beleive*, from the evidence, that the said infant was born alive last night, and was left in the place where it was found last night during the rain by some persons to the jury unknown, and that it died from exposure.
184 111	John Henderson ..... Fees..... 20 01½	18	Came in company with his son and wagon from near Beltsville, where he lives, in Prince George's county, on Tuesday, the 15th of May, for the purpose of buying a load of fish. He put his wagon and horses at Rezin Stevens's tavern, High street, about 10 a. m., and was at that time sober; that he went down to the fish wharf, where he drank freely, and became intoxicated. In the evening, about 8 o'clock p. m., he stated that had been robbed of all his money, and left the wharf, as he stated, to go to Stevens's tavern, and was not seen afterwards until this morning, about 5 o'clock a. m, when he was found in the canal, and the jury cannot say whether he was thrown in the canal or accidentally fell in and was drowned.
185	John Clarkson..... Fees..... 16 13¼	20	Was watchman at the Pioneer cotton factory. He was at his post last evening at ½ past 8 o'clock; that he went to Wm. H. Thecher's and R. L. McPherson's tavern; that he returned to the factory about 9 o'clock, much intoxicated, but in good health; that he not coming home this morning, his wife went to the factory, where she found him lying on the floor dead; and the jury *beleive*, from the evidence, that his death was caused from apoplexy, superinduced by intemperance.
186	Newly-born male mulatto infant ..... Fees..... 16 63¾	22	Was found in Giles Parker's garden in a box, in a drain covered with a little dirt, and, from all the evidence, the jury believe it was stillborn.

187	Francis Fitzpatrick ..... Fees..... 20 01¼	June	1 2	Came to his death from the *fecks* of two or more blows inflicted on his head by a negro named George Reglin, with a swingletree, on the night of Saturday, the 26th of May last, about 11½ o'clock, at the stable of Steamboat Hotel, on B street, between 6 and 7th st., in the city; and jury find that the said Francis Fitzpatrick was a pauper.
188	Newly-born white female infant		11	Was found dead on Sixth street west, between L and M streets, about sunrise this morning, entirely naked, with a large cut on the side of its face, apparently newly born; and the jury *beleive*, from the evidence and circumstances, that the said *ifant* came to its death violence from the hands of some person or persons unknown to them.
112				
189	Elizabeth Hedivell..... Fees..... 17 03¾		15	Has for the last four years been addicted to the too great use of liquor, and that for some months past complained of a pain in her side and heart, and that she died this morning about sunrise in her bed, without giving any notice to her husband, who was in bed with her; and the jury *beleive* her death was caused by an affection of the heart, aggravated by a too great indulgence in ardent spirits; and the jury further find that the deceased and her husband were possessed of no property or means whatever.
190	Neg. John Ball ..... Fees..... 17 98¾		16	While acting as pilot on board the schooner Columbia in the Georgetown channel, a little below the Long Bridge, the traveller being drawn from the deck by the force of the wind, causing the jib or traveller to strike him and knock him overboard. He was immediately taken up and placed on deck, where he died in about ten minutes; and the jury *beleive* the effects of the blow caused his death; and they further find that he was a pauper, and had no settled residence; this occurring on yesterday, about three o'clock, the 15th of June.
113				
191	Christopher Bymes..... Fees..... 17 98¾		22	Was an enlisted marine; he had been here about one month. He was a native of Ireland, and about ½-past 1 o'clock this day he got permission to go out of the barracks to see, as he said, a friend, but went into the Eastern branch to bath; that he said he could swim. He jumped into deep water, and as the tide was very strong, he was drowned; and the jury *beleive*, from the evidence, he had been drinking, and not able to swim, he was accidentally drowned; they further find he was poor and had no means.
192	Newly-born female infant (colored or not known.) Fees..... 16 63¾		23	Was found in the canal in this city, the locks in the visit of the late residence of General Van Ness, with every appearance of having been long dead, and the jury are unable to discover whether it died from violence or not, and that it was thrown into the canal by some persons to the jury unknown.
193	Joe Mahoney..... Fees..... 17 31¼		25	Went into the canal a little above the stop-lock, above Georgetown, for the purpose of swimming; that he suddenly sank, and did not rise, and from the evidence the jury *beleive* that he was accidentally drowned on the 24th June, 1855, between 1 and 2 o'clock.

W 1.—*Extracts from the original inquisitions*—Continued.

114			
194	John McDonald	1855, June 29	Was at work on a schooner lying at the wharf in the city of Washington, belonging to the estate of the late Wm. Eastly, between E and F streets, called the B. L. F., of Baltimore, on the evening of the 28th of June, *twriming* the coal in the aft of the forward hatch, and he became over-heated, and while in that state, he came on deck and drank heartily of ice-water, and the jury *beleive*, from the evidence, he being a very intemperate man, and drinking the ice-water, caused his death in less than half an hour.
	Fees $17 31½		
195	Elizabeth Bodien	July 9	Was on Sunday, July 8, 1855, slightly under the influence of drink; remarked same day, between 4 and 5 o'clock p. m., while applying a mustard plaster to her husband, that it was the last thing she should do for him; shortly after, between the hours of 7 and 8 o'clock, she was discovered in a stupor; upon examination, it was found she had taken laudanum, an ounce in quantity, which caused her death.
	Fees 17 98½		
196	Neg. Dolly Brown	12	Has been for some time past complaining occasionally of a palpitation of the heart; that, on yesterday, she worked all day, washing, ironing, &c., seeming as well as usual until 9 o'clock at night, when she was last seen. She was found about 5 o'clock lying on a bench dead, with her face downward, her body drawn up, and, the jury *beleive*, from an affection of the heart, and the jury further find that she was a pauper.
	Fees 15 96½		
115			
197	Newly-born white female infant	14	Was found yesterday evening, wrapped up in a mat, in a hole in an alley, between 7th and 8th streets west, and E and F streets south, in this city, and in such a state of putrefaction as to render it impossible to tell how it came to its death; and the jury *beleive* that it was placed there by some person unknown.
	Fees 16 97½		
198	Newly-born male child, color indistinguishable.	19	Was washed from a public sewer emptying into the canal on **11th street** in said city, and, from the state of decomposition, the jury are unable to say how or when it came to its death.
	Fees 15 96½		
199	William Henriahan	26	Arrived in Georgetown, from New York, on the evening of the 24th inst., for the purpose of working in a brick-yard near the Great Falls; and whilst on his way up the canal on boat March, Capt. Whelan, and near the Little Falls, and that from the evidence, the jury *beleive* that he accidentally fell overboard and was drowned, and that the deceased was a pauper
	Fees 15 96½		
200	Neg. John	August 1	After discharging a cargo of coal from the schooner Pursuit, of Viena, was washing himself in the yawl boat, and while the captain and crew was at dinner; when the captain and crew returned on deck, John was called to his dinner, but was missing; search was made immediately by several present, and Captain Auld, of sch. J. J. Barnell, caught him with the hook, and the jury *beleive*, from all the evidence, that *that* he accidentally fell from the yawl into the Potomac river and was drowned.
117	Fees 17 98½		

201	A white female newly-born infant ..... Fees 15 96¼		4	Was found by one of the male orphans about 5 o'clock on the morning of the 4th of August, 1855, at the corner of the privy inside of the enclosure of the asylum, it having been put through a hole in the fence during the night; and the jury *beleive*, from the evidence, that the said infant came to its death by violence from the hand or hands of some person or persons unknown to them.
202	Bright mulatto female infant..... Fees 16 95¼		15	This morning the said infant was found in the Exchange Hotel, concealed in a basket with the afterbirth, and placed in a closet. Suspicion rested on Eliza Gaines, the slave of Dr. J. M. Austin, that she was the mother of said infant, and from the evidence and circumstances, the jury find that said Eliza was the mother of said child, and that the child came to its death from inattention and neglect.
117				
203	Newly-born child, supposed to be white.... Fees..... 16 98¾	Sept.	12	Was found this morning, about 7 o'clock, in a round cheese-box, floating in the canal at the place aforesaid, much decomposed, with every appearance of having been newly born, but the jury are unable to say whether it was born alive or not. They further find that it was placed in the canal by some persons to them unknown.
204	Neg. Daniel Smith, alias Brown ..... Fees..... 16 63¾		13	Was employed on the evening of the 12th of September upon the boat of Wm. Geo. H. Cockrell, of Dumfries, Va., and that Smith did at 7 o'clock fall into the canal at 12th street while in a state of intoxication, and was drowned.
205	Newly-born infant ..... Fees..... 15 95		22	Was found in the canal near the 12th bridge, in said city, sewed up in a carpet-bag, in which were two stones, as if to sink it; and the jury *beleive* that it was thrown into the canal and drowned by some persons, and at a time unknown to said jury.
206	Addison Fountain..... Fees..... 17 31¼		23	Had been for some time previous to Thursday morning, Sept. 20 inst., laboring under an aberration of mind; that on the Wednesday night previous he went to bed, and afterwards, while his wife, who, from fatigue, had fallen asleep, he left his house, and was not seen till this morning, the 23 inst., when he was found dead, floating near the middle of the said river; and the jury *beleive* that whilst laboring under an alienation of mind he drowned himself on the morning of the said Thursday, 20 inst.; the jury further find that he left no personal or other property.
118				
207	Thornton Avery..... Fees..... 23 01¼	Oct.	2	Was at the house of Josephine Garcia, in company with some 12 or 15 persons, on the night of 1st October, 1855, and whilst there he was wilfully and deliberately shot in the left breast by W. W. B. Edwards; and the jury *beleive*, from the evidence, that the said Avery came to his death from a load of shot, accompanied by either a small mould shot or slug, deliberately and wilfully fired from a gun whilst in the hands of said Edwards. which last penetrated the *arter*, causing almost instant death; and further, that the deceased was a poor man.

W. REDIN.

119 Thereupon said cause was, with the consent of the parties, by their attorneys continued until the third Monday of January next.

And now, to wit, the said third Monday of January, in the year one thousand eight hundred and sixty-two, came again into court here the said plaintiff, by his attorney, and the said defendant, by his attorney, and the auditor of the said court makes this his third report, in the words and figures following, to wit:

Auditor's 3d report.

The court having affirmed the report of the 16th Oct., 1861, filed the 19th of said month, in all respects, except as to those inquests which were held at the request of the corporation of Washington, in order to authorize the admission of the deceased to burial within the corporation burial ground; and as to those cases having reversed the auditor's report, and directed him to disallow as well the coroner's fees, as also his payments in those cases, and to state the amount due to the coroner making those deductions, I respectfully report that I have deducted the coroner's fees, amounting to $\$86\frac{62}{100}$, in those cases, and also his payments therein to jurors and witnesses, amounting to $\$42\frac{50}{100}$; and that the sum due to him in making the deductions aforesaid, two thousand nine hundred and fifty-seven dollars and fifty-three and three-quarter cents, $(2,957\frac{53}{100},)$ with interest on $\$965\frac{95}{100}$, (his payments,) and from the 25th Sept., 1855, and on $\$1,991\ 58\frac{3}{4}$, his fees from the 11th Oct., 1855.

W. REDIN.

18 Feb., 1862.

Auditor's report confirmed.

By the court this rep't of the audt'r is confirmed, and judgment to be entered accordingly.

Feb'y 18th, 1862.

Test: JNO. A. SMITH, *Cl'k.*

120 *Judgment on auditor's report.*

And said cause coming on to be heard, and having been heard by counsel, and being fully understood by, and mature deliberation thereon had, it is by the court ordered and adjudged that the said report be confirmed and that the plaintiff have his judgment against the said defendant for the sum of $2,957 53, with interest on $965 95, part thereof, from 25th Sept., 1855, and $1,991 58¾, other part thereof, with interest from 11th October, 1855, till paid, and costs—costs, $ ———; and that he have thereof his execution.

Test:

JNO. A. SMITH, *Cl'k.*

Writ of error produced.

And whereas, afterwards, to wit, on the 27th day of February, in the year 1862, the said defendant, by its attorney aforesaid, produced and filed in court here the United States writ for correction of errors of and upon the judgment aforesaid, directed to the judge of the circuit court of the District of Columbia, for the county of Washington, and in pursuance thereof, and according to the form and effect of the law in such case made and provided, a transcript of the record of proceedings of the judgment aforesaid and all things thereunto relating, with the writ of error aforesaid, and a copy of the appeal bond, hereunto annexed, is hereby transmitted to the said Supreme Court accordingly.

Clerk's certificate and seal.

[SEAL.] In testimony whereof, I have hereto subscribed my name and affixed the public seal of said court this 22d day of July, 1862.

JNO. A. SMITH, *Cl'k.*

Filed February 13, 1863.

1787

SUPREME COURT OF UNITED STATES.

(No. 117.)

THE LEVY COURT OF THE COUNTY OF WASHINGTON, D. C., PLAINTIFFS IN ERROR,

vs.

THOMAS WOODWARD, DEFENDANT IN ERROR.

BRIEF OF PLAINTIFF'S COUNSEL.

This was an action of assumpsit in the court below, brought by the Defendant in error, who was the Coroner of the County of Washington, against the Plaintiff in error, to recover certain fees claimed, to be due to him, as Coroner, and certain money disbursed by him to jurors and witnesses attending upon inquests.

The claim of the defendant consisted of three items, viz:

1. The fee for viewing the body, allowed by the Act of the Assembly of Maryland, of 1779. chap. 125. sec 5.

2. The fees allowed to the Coroner by the 8th section of the Act of Congress of July 7, 1838, entitled, "An Act to establish a Criminal Court in the District of Columbia;" and

3. The fees of jurors and witnesses attending upon inquests, allowed by the same act of Congress, and paid by the Coroner.

The Act of Maryland, of 1779, gives to the Coroner, "for 'viewing the body of any person murdered, or slain, or other-'wise dead by misadventure, to be paid out of the goods and 'chattels of the party so dead, if any there be, otherwise to 'be levied by the Commissioners of the County where such 'accident shall happen, 250 pounds of tobacco."

The 8th section of the Act of Congress of 1838 reads thus:

"That there shall be hereafter paid to the Coroners of the 'Counties of Washington and Alexandria, in said District, 'and to the jurors and witnesses who may be lawfully sum- 'moned by them in any inquest, the same fees and compen- 'sation as are now paid to the Marshal of said district and 'the jurors attending the Circuit Court in the said County, 'for similar services." 5 Stat. at large, p. 306.

Before the Act of 1838 passed, the Coroner received, from the county, the fee allowed by the Act of Maryland. Afterwards, he settled his accounts regularly at the Treasury, in the same manner as the Marshal did, receiving payment of his fees, under the act of 1838, and of the amounts disbursed by him to jurors and witnesses, until the year 1853. Mr. Cushing, Attorney General, then conceived the idea that these allowances were to be paid by the county, and under his advice the Treasury Department thenceforward refused to pay them. This suit was brought in order to have the question judicially settled. The late Circuit Court gave judgment for the plaintiff below and a writ of error was sued out.

I. It is maintained on the part of the plaintiff in error, that there was error in the whole form of the proceeding below, the Levy Court not being a corporation capable of suing or being sued.

There is no act of Maryland or of Congress which makes the Levy Court a corporation or endows it with the capacity of suing and being sued.

The earliest act, which at all defines the power of the court, is the act of Maryland, of 1794, chap. 53, called, "An Act for the establishment and regulation of the Levy Courts in the several counties of this state." This authorizes them to adjust the expenses of the county and to impose an assessment for their payment, and to appoint a Collector, who shall give bond *to the State.* And suits are directed to be brought against the Collector and judgments entered, *in the name of the State,* not of the Levy Court.

By the Act of 1798, ch. 24, seven Justices were to be annually commissioned in each county, by the Governor, as Justices of the Levy Court, but no new powers were given,

The act of 1779, as we have seen, calls them *Commissioners of the County*, and some acts of Congress speak of them in the same terms. But in no legislation are they treated as a corporation, empowered to sue or made liable to suit. ✗

Even if they could be considered a quasi corporation, they could not sue or be sued without an express enactment to that effect, (See Angell & Ames on Corporations, chap. 16, sec 8, and cases cited.) Accordingly, the only reported cases in this District, to which the Levy Court was a party, were cases of a special character; one the case of a rule to shew cause, (See Levy Court vs. Ringgold 2 Cranch's Circuit Court R. 659,) and the other a special and summary application, under an Act of Congress, (See Levy Court vs. The Corporation of Washington, *Ibid.*, 175.)

The English cases, cited in the Auditor's Report, in this case, indicate that the Justices of the County in England exercise functions analogous to those of our Levy Court and cannot be proceeded against by suit, but only by mandamus.

II. But the court below also erred in their construction of the act of 1838.

The Circuit Court of this district was established by an Act of Congress entitled "an Act concerning the District of Columbia," approved February 27, 1801.—(2 Stat. at Large, p. 103,) and had jurisdiction in civil and criminal cases. The same act established the office of Marshal of this District, which superseded that of Sheriff under the laws of Maryland. It left the office of Coroner undisturbed, but he was always appointed by the Circuit Court under the power conferred upon them by a supplementary act of March 3, 1801.—(2 Stat. at Large, p. 115.) No one ever doubted that the jurors and the witnesses in Government suits, attending the Circuit Court, were to be paid by the United States. Accordingly, they have always been paid by the marshal, and the payments so made allowed in his accounts. Until a recent period, the Marshal's fees in the District were the same allowed to the Sheriffs by the Act of 1779, aforesaid, payable originally in tobacco, and, by the Act of Congress of March 3, 1807, commuted into money.—(See auditor's report, p. 8 of record.) Of course, in civil suits between indi-

✗ Lee act of Maryland 1802 ch. 73
1 Dorsey's Laws Maryland p. 693

viduals, the Marshal's and witnesses' fees were taxed against the losing party. But in criminal cases and other procedings to which the Government was a party, and in which the costs were not payable by the other party, they were always paid at the Treasury. In suits against the Marshal, the coroner discharged the Marshal's duties, as, under the laws of Maryland, he did those of the Sheriff, in similar cases, and in such suits, by the United States, it is presumed that he received his fees from the United States, in the same manner as the Marshal.

This state of things continued until the act of July 7, 1838, aforesaid. This act created a new court and transferred to it the criminal jurisdiction of the Circuit Court. In the third section it directs that the District attorney, Marshal and clerk of the Circuit Court shall attend the Criminal Court and perform all the duties by law required of them, in relation to the criminal business of the Circuit Court, and *shall receive the same fees and compensation therefor*, and that the *jurors* and *witnesses* attending said court *shall be entitled to the same compensation they now receive* for their attendance in the Circuit Court.

No one ever doubted that under this section the fees of jurors and witnesses in the Criminal Court were to be paid by the United States, although it is not so expressed.

But certainly the language of this section is not more pointed, in that direction, than that of the 8th section, referring to jurors and witnesses in cases of inquests. "*There shall be hereafter paid*" for services in cases of inquest, "*the same fees and compensation as are now paid*," for similar services in the Circuit Court. Shall be paid by whom? Surely by the same authority by whom now paid. If it had been intended otherwise, would not the act have said distinctly, "there shall be hereafter paid *by the Levy Court*, or by some one else, the same fees as are now paid by the United States? Looking at the Acts of Congress alone, who can designate the Levy Court any more than the corporation of Washington or Georgetown, as the source of payment? There is, perhaps, scarcely an Act of Congress fixing the compensation of any officer, which designates the Treasury of the

United States as the source of payment, more distinctly than this. In nearly all cases the language is, that such officer's compensation shall be, or, that he shall receive, be entitled to, or paid, such and such amounts. It is certainly a sound rule of interpretation, that whenever Congress directs money to be paid, it is to be paid out of the Treasury, unless something different is expressed, particularly where the law containing the direction clearly contemplates such payment from the Treasury, in regard to its principal subject matter.

The argument on the other side amounts to this: that when the law of 1838 passed, the Coroner's fee on inquests was, under existing laws, chargeable to the county, and a general enactment, adding to his fees, is to be construed as making them payable from the same quarter and as re-enacting the existing law, with reference to the new fees.

But, in the first place, the argument fails to distinguish between the different kinds of fees. The fees allowed to the Coroner by the act of 1779 were, 1, a fee of 250 pounds of tobacco, or $4 37½, for viewing the body of a person deceased; 2, the same fees as the Sheriff, in all processes wherein the Sheriff is plaintiff or defendant. The first was to be paid out of the estate of the deceased, if there was any, and if not to be levied by the county commissioners. The second class of fees was not payable by the county, but in the same manner as the Sheriff's fees, and that would be, in this District, by the United States, in Government suits. Now the fact that a different class of fees were payable by the county does not justify the inference that the fees given by this act to the Coroner, and which, for similar services, were always paid to the Marshal by the United States, were to be charged to the county. On the contrary, the fact that these fees were not charged to the county under the old law rather forces us to infer that they were not intended so to be under the new. The fees which the Coroner was entitled to, under the act of 1838, were construed to be such as the Marshal received for summoning, swearing and impanneling jurors, and swearing witnesses and returning inquisitions. And as the United States paid these to the Marshal, the fair inference is, that they meant to pay them to the Coroner, for similar services,

rendered in the interest of public justice, in this seat of exclusive Congressional dominion. Especially is this the case, when we consider that the provision in question is found in a law, the main scope and object of which was to create a new tribunal, all the expenses of which are confessedly chargeable to the United States.

Again, the argument in question is wholly inapplicable to the allowances to jurors and witnesses, which constitute the most important part of this claim. The county paid nothing to jurors and witnesses on inquests before the act of 1838, and to infer that Congress meant to impose the burden of their compensation on the county because a certain Coroner's fee was theretofore chargeable to the county, is to draw a conclusion wider than the premises.

Again, if the existing law is referred to and adopted by the Act of 1838, as to the new allowances to the Coroner, it must be the whole and not a particular part of it. The act of 1779 does not make the Coroners' fee payable directly by the Levy Court, but directs that it shall be *paid* out of the goods and chattels of the person dead, if any there be, otherwise, *to be levied* by the Commissioners of the County. Now did Congress mean the new fees of the Coroners and the fees of jurors and witnesses to be paid out of the estate of the deceased, and was each juror and witness to have a separate cause of action against the estate, and, that resource failing, a separate ground for a mandamus, or other proceeding, against the Levy Court? Congress would hardly have left all these questions thus uncertain, had they meant to incorporate the Maryland Act of 1779 into their own Act of 1838; and their silence shews, that they had no reference to the Act of 1779, but meant simply to refer to their own existing legislation, as to the fees and allowances in suits in court, and to extend the benefit of it to the cases of inquest.

A circumstance not without weight, in this connection, is, that while the law, as construed by the other side, would largely increase the burdens of the Levy Court, there was no corresponding increase in their powers of taxation.

III. The Auditor, in his report, disallows the Coroner's claim for *fees* in certain cases in which the inquests were illegally

held, (See pp. 12 and 17 of Record), but allows his *disbursements* to jurors and witnesses in the same cases. To this allowance the defendant excepted, but the exception was not sustained by the court below. It is still insisted on. If the inquests were illegally held, so that the Coroner could not claim compensation for his services, it is not perceived how his disbursements upon these illegal inquests could give him a legal claim for money laid out and expended. If his time and labor were given at the risk of losing them, so must his payments have been made at his own risk.

WALTER S. COX,
Of Counsel for Plaintiff in error.

It is a quasi corporation. As such, has capacity to sue and be sued as an artificial person, and is established by law. Ch. J. Gibson, 4 Whar. 598.

They are within the class of cases enumerated in Angel & Ames, on Corp. Introduct., Sect. 5, 3d edition, and embraced within the principles of numerous decisions in this Court, growing out of subscriptions, &c., to railroads by counties.

From these the principle is deduced that when power is given by law to a body of men having succession, to contract or to pay money for a community and to raise by taxation of that community the money to be paid, the person to whom it is due has a right of action against such body of men to recover it.

See Woods *vs.* Lawrence Co., ~~10 Howd.~~ 1 Black, at p. 408; Mercer County *vs.* Hackett, 1 Wallace 83 and 92, and a series of cases referred to in those decisions.

2d. That the construction put upon the Act of Congress by the court was right.

The whole scope of the 8th section of that act was to regulate and fix the fees of the Coroner, leaving them to be paid as before.

3d. That the allowance of the disbursements named in Plaintiffs 3d point was right.

The answer to this will be found in the very clear exposition of the law, and the reasons given in the report of the Auditor.

JOS. H. BRADLEY,
For Defendant in Error.

IN THE SUPREME COURT.

THE LEVY COURT OF THE COUNTY OF WASHINGTON
vs.
THOMAS WOODWARD.

No. 117, December 10, 1864.

The history and facts of this case as well as the law bearing upon the questions involved are all fully stated, and considered in the reports of the Auditor, to be found in the record at pages 10 to 18.

Nothing can be added to the very clear presentation of fact and law contained in that report, which the counsel for the Defendants prays to be taken as part of this brief.

The case came before the Circuit Court on the exceptions filed to that report, and they are the only exceptions now before this court.

The case agreed at pages 5 and 6 shows that the question submitted to the decision of the court in the first place, was whether the "Levy Court is liable and chargeable with, and bound to pay the fees of the said Coroner, and the compensation of the jurors, and the witnesses summoned by him on said inquests," and it was referred to the Auditor to state the account. The Auditor's report pages 7 and 8, was excepted to by the Defendants at page 9, and the exception was substantially sustained and the case remanded.

The Auditor made his further report pages 10 to 18 both

included, and no exception was taken by the Defendants, now Plaintiffs in error, either to the judgment of the court holding the Defendants liable, or to the amount found due by that report.

No objection was taken in the court below to the jurisdiction of the court over the Defendants; and it is too late to take it here.

No exception was taken to the construction given by that court to the act of ~~1785~~. 1838

The amount covered by the only exception, page 8, now open is only $328 45, and not within the jurisdiction of this court.

But if the case is open for hearing in this court the Defendant in error will maintain—

1st. That the Levy Court was subject to be sued.

The Levy Court takes the place of the Commissioners of the County in Maryland.

By the 5th Section, Chapter 5, Nov. 1779, it is provided that when the fees of the Coroner cannot be made "out of the goods and chattels of the party dead," they shall be "levied by the Commissioners of the County where such accident shall happen."

These Commissioners of the County are charged by other acts with all the expenses of the County, relating to roads, bridges, the poor and poor-houses, the orphan's court, the jail, &c., and invested with power to levy them by taxes.

The Levy Court of this District is first recognized by the act of February, 1801, 2 Stat. at Large 115; the Court was remodelled with increased powers by the Act 2, Stat. 771; and still further by Act 12, Stat. 29: 383, &c., 402, 426, 658, 799, &c.

They have the capacity to contract for the County, and to raise money to meet such contracts; and have perpetual succession.

They can sue to recover moneys due to them, 5 Pet. 451.